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JAMMU AND KASHMIR STUDY REPORT

Lt Gen MM Lakhara, PVSM, AVSM, VSM (Reid)
Lt Gen V K Nayyar, PVSM, SM (Reid)
Maj Gen Samay Ram, UYSM, AVSM, VSM (Reid)
Mr K N Daruwalla, IPS (Reid)
Maj Maroof Raza(Reid)
Dr Sudhir S Bloeria, IAS

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Director

Lt Gen Satish Nambiar, PVSM. AVSM. VrC (Retd)

Deputy Director & Editor

Maj Gen Y K Gera (Retd)

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Chapter I

INTRODUCTION

India and Pakistan were born as independent states in distrust of each other. J and K is an expression of this distrust, in spite of the fact that no two people in the world are historically, culturally and ethnically closer than the people of India and Pakistan. While Pakistan treats Kashmir as the core issue, for India J&K is its integral part. Pakistan perceives annexation of Kashmir as the unfinished agenda of the partition, to India J&K is the symbol of its secularism. Pakistani's failures in its wars against India and the recent defeat in Kargil in 1999 has reinforced the mindset of hatred and anger in her ruling military establishment against India and it shall continue to exploit J&K issue to whip up emotions to overcome its inadequacies.

Over the years: Pakistan has been using state sponsored terrorism as an instrument of its foreign policy. India's open democratic system, liberal socio-political setting and independent judiciary has provided hostile Pakistan with wide ranging opportunities to exploit the dissensions and discordant elements on J&K and spread its subversive network in India. Having failed to achieve her aim through the indigenous elements, Pakistan has inducted foreign mercenaries to continue its proxy war in J&K and gave it legitimacy in the garb of Islamic Jihad.

The terrorist strikes on America's World Trade Centre and the Pentagon on 11 September 2001 brought home to USA and the world at large the extent of threat that terrorism poses to nations and society at large. The USA's commitment to deal with terrorism needs to be broadened to include all forms of terrorism, anywhere in the world, including countries and establishments supporting such acts. Restricting it to Osama Bin Laden, Al Qaeda and Taliban will not succeed in getting the world rid of terrorism. Islamic fundamentalism is posing an immediate threat to the Central Asian States (CAS), China and countries of South Asia. To root it out dealing with Afghanistan and Pakistan, and the cross border terrorism flowing out from there into adjoining areas is essential. While Pakistan is a key ally of USA in its fight against terrorism it

needs to restrain Pakistan to a much greater extent to stop cross border terrorism into India.

Our tendency to examine the J&K situation primarily in the Indo-Pak context and equate the state of J&K with the Kashmir Valley tends to distort the problem. The state of J&K consists of multi-ethnic: multi-religious and multi-lingual communities with different political and socio-economic perspectives. Therefore: internal dynamics of the problem are equally important. Political ineptness, manipulations and corruption over a period has resulted in mistrust and suspicions with the cumulative effect of alienation. While the past thirteen years of proxy war has added to the feeling of deprivation, people have realised the futility of conflict and are totally disillusioned with Pakistani designs. There is a yearning for peace and India needs to address the hurt sentiment and win back their confidence. The survey carried out by Morris [Reportedly: a pro Pakistan] British politician Lord Eric Avebury asked an independent British market research company Mori International to conduct survey in Indian part of Kashmir (Statesman. 02 July 2002)] in J&K in this year and the response to the democratic process of elections in September and October are clear indications of the changed mood.

The aim of the study is to provide essential background to the J&K problem and, keeping in view the current situation, make recommendations for policy formulations in a holistic manner, covering political: socio-economic, administrative, diplomatic, media and military aspects, with particular emphasis on the operational aspects. The study group comprised of the following :-

(a) Lt Gen MM Lakhera, PVSM, AVSM, VSM(Retd). He is the Coordinator of the group who has had the singular privilege to serve in each rank from a Capt to Lt Gen in J & K, a total of eleven and half years. He retired as Adjutant General of the Army. He has authored a number of articles on the J&K problem.

(b) Lt Gen VK Nayyar, PVSM, SM(Retd). He is the former GOC in C, Western Command, Governor of Manipur, has been associated with the J&K problem for over three decades. He has already authored two books titled Threat from Within - on India's internal security environment and Low Intensity Conflicts in India.

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(c) Maj Gen Samay Ram, YSM,AVSM,VSM(Retd). He was India's Military Attaché in Afghanistan during the period of Soviet intervention. He has been the BGS at HQ Northern Command during the period 1989-92 when the proxy war erupted. He has a number of articles on insurgency related problems to his credit.

(d) Mr KN Daruwalla, IPS(Retd) is ex Chairman JIC, and has dealt with J&K problem intimately. He is a Sahitya Academy Award winner. Since retirement, he is an active writer and speaker on the subject of proxy war.

(e) Maj Maroof Raza (Retd), is the author of Wars and No Peace Over Kashmir, and is currently a Visiting Professor and Regional Director of Middlesex University and also a visiting fellow at the War Studies Department of King's College, London.

(f) Dr Sudhir S Bloeria, IAS, is Chief Secretary of J & K. He is not only a son of the soil, but also has vast experience in dealing with the present problem in J & K for over two decades in his various administrative capacities within the State of J & K.

At the outset, we must confess that the study group had no direct access to the official thinking within the government on the issue. The Service HQ's were also reluctant to share information. Notwithstanding this, the study group did interact collectively and individually with a large number of retired and serving officers from the Defence, Administrative, Foreign and Police Services. A questionnaire was also sent to a large number of serving officers, who are at present directly involved in handling the situation or have been involved with this problem in the recent past. We are most grateful to all those who responded to our request and gave us their valuable time and thus enriched the study with their deep insight on Indo-Pak relations as also the J&K problem.

We are also grateful to the staff of the USI for their dedicated administrative support to the study group, without which this study would not have been possible.

Chapter 2

THE DEMOGRAPHY OF JAMMU AND KASHMIR

Appendix A – Ranking of Districts by Population Size 1991 and 2001.

Appendix P – Map of J & K.

General

The erstwhile state of J&K comprising an area of **2,22,236** sq kms is now divided into three portions:-

. Under Chinese Occupation. **37,555**sq kms known as Aksai Chin under illegal occupation and **5,180** sq kms ceded by Pakistan to China in **1963**.

. Under Pakistan Control. An area of **78.114** sq kms comprising the Northern Areas and Pakistan occupied / Azad Kashmir (POK/AK).

. Under Indian Control (J & K). Comp ises of the balance of **1,01,487**kms; POK and J & K are divided by the borders which has three connotations.

. IB. From Punjab – J & K border upto Sangam. It is known as International Borders (IB). But Pakistan calls it a working boundary (**198** kms).

. LOC Line of Control from Sangam in Akhnur upto **NJ 9842** in Northern Ladakh. It is delineated on maps only but not demarcated on the ground. (**778** kms). The boundary beyond NJ9842 is called the Actual Ground Position Line (AGPL).

. From **NJ 9842** onwards it states that the LOC "Thence onwards will run North" giving rise to different interpretation by Pak and India (**110** kms).

The area through which the LOC passes is generally mountainous interspersed with deep gullies / gorges and covered with thick pine forest making it prone to easy trans LOC movement and

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infiltration. To the West and North of the area under the Chinese occupation lies the Chinese province of Sinkiang having a Muslim majority. It is linked across the Kunjerab Pass to Gilgit and Islamabad by the Karakoram Highway built by China.

POK / AK

Geographically can be divided into three regions as under :

. Gilgit Region. It includes the valley of Gilgit, a tributary of the Indus and the small kingdom of Hunza, Naggar, Ishakuman and Chilas. Touches Sinkiang Province of China in the North and the Wakhan corridor of Afghanistan in the West. It is centrally administered area directly under Pakistan. Pakistan has built military and air bases in this region and is linked with China by the Karakoram Highway. It provides recruitment for the Pakistan Army.

. Baltistan Region. Lies West of Gilgit and includes the Valley of Indus and its tributaries. Its major town is Skardu. Pakistan has linked Skardu with Gilgit by a highway and has a big air base near it.

. Mirpur - Muzaffarabad Region. Includes Mirpur and Muzaffarabad districts. It is drained by the rivers Kishan Ganga and Poonch and two major tributaries of Jhelum. Pakistan has set up a separate government in this region with Muzaffarabad as its capital and calls this area Azad Kashmir. It has nothing in common with J&K as it is separated by the high Himalayan Ranges and the Uri-Tithwal belt. The road link between Muzaffarabad and Srinagar via Uri-Baramulla still exists. It is an all weather road and the journey from Islamabad to Srinagar is only 6 hours.

J & K

The State of J & K is divided geographically into three distinct regions.

. Ladakh Region. Area North / NE of the Great Himalayas including Siachin, Leh and Kargil.

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. Kashmir or the Valley. Hemmed in by the Great Himalayas in the North and the Pir Panjal Range in the South.

. Jammu Region. Comprises of the southern slopes of the Pirpanjal Range, Poonch, Doda, Kishtwar and the plains of Jammu.

The Valley and Leh are connected by the two major roads:

. NH1A. Jammu - Srinagar - Zojila Pass - Kargil - Leh. Remains closed from November to May due to closure of the Zojila Pass.

. Road Manali - Upshi - Leh over the Rohtang Pass. Remains open from July to October only.

Dominating Areas.

. While J & K dominates the Neelam Valley road, Pok dominates certain portions of NH1A near Kargil.

. The hills of Sunderbani dominate the vital rail - road communications (Gujranwala - Jhelum - Rawalpindi) and the dam over Mangla.

. Major rivers (Indus. Kishan Ganga. Jhelum. Chenab) flow through J & K into POK and Pakistan.

Population, its Ethnic and Religious Composition.

The total population of J & K (1981 Census) was 59.53 lakhs distributed as under:

Region wise Population	Percentage of Total
Valley - 31,30,190	52.57%
Jammu - 26,90,616	45.18%
Ladakh - 1,33,091	2.25%
<u>59,53,897</u>	

There was no census in 1991. As per 2001 census, the population rose to 10,69,917. Details are given at Appendix 'A' attached and region wise distribution is as under:-

Region	Percentage of Total Population
Valley - 54,41,341	54.03%
Jammu - 43,95,712	43.06%
Ladakh - 2,32,864	2.4%

It will be seen that despite the migration of approx two lakh Hindus/ Sikhs. there has been two per cent increase in the population of the valley.

Demographically, J & K can be divided into five main regions as given below :-

Ladakh Less Kargil. Predominantly Buddhists (80 per cent) and 20 per cent Muslims. They are akin to the people of Lahaul & Spiti in Himachal Pradesh (H.P.).

Kargil. This has both Muslims and Buddhists; the Muslims are of Shia Sect: akin to the people of Gilgit and Skardu. These Shia Muslims do not find themselves very comfortable with the majority Sunni population of the valley and are found often as fence sitters when choosing and taking sides between Leh and Valley. In recent years religion more than the ethnic distinction between Leh and Kargil has given rise to both intra and inter regional suspicions / apprehensions.

Valley. Predominantly Muslims (99per cent) and some Hindus / Sikhs (1per cent). The point to note is that the Muslims of the valley are composed of different ethnic groups.

. There is a pocket of Shia Muslims in Badgam.

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. The Muslims across the Shamshabari range are Pahari / Punjabi while those in Uri – Baramulla are Rajputs of Afghan origin.

. There is the migratory population of the Gujjars and the Bakarwals. Lastly: the Muslims in the valley have a distinct culture of their own, with a different language and Sufi traditions and customs imbibed in the ideology of 'Kashmiryat'. They have nothing in common with the dominant Punjabi culture of Islamabad.

- Jammu incl Doda– Kishtwar and Rajouri. Though predominantly Hindus there are other ethnic groups also.

Jammu Plains. Dogras akin to those of HP

Doda– Kishtwar. 50 per cent Muslims and 50 per cent Hindus.

- . Rajouri – Naushera. Muslims – Sikhs and Hindus.

Southern Slopes of Pir Panjal Ranges – Bakarwals & Gujjars.

Poonch. Predominantly Muslims plus some Sikhs/Hindus. But while the?; are of Sunni Sect: they are more akin to the Punjabi Muslims of Mirpur-Kotli. Other salient features are :-

89 percent of J & K comprising Jammu & Ladakh regions accounts for 47 percent of the population while 11per cent of J & K (valley) comprises of 53per cent of the population. The overall position of the religious groups as per 1981 is 38,31,292 Muslims (64.3per cent), 19,08,288 Hindus (32.1 per cent), 1,29,393 Sikhs (2.17per cent): 69,796 Buddhists (1.17per cent) and 6,916 Christians (0.12per cent). These religious groups are further divided into social and ethnic groups; the major ones are Kashmiris, Dogras, Gujjars, Bakarwals, Dards, Baltis, Gaddis, Ladakhies and Pothwari speaking Muslims and Non-Muslims. Kashmiris are mainly concentrated in the Kashmir Valley, Dogras are spread over the Jammu region, Gujjars and Bakarwals inhabit the mountainous and Kandi areas, Dard and Balti Muslims are in Gurij, Tilel and Dras. Gaddis are found in the South Eastern parts of the middle ranges of Jammu. Pothwari speaking

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Muslims and non Muslims live between Chenab and Jhelum rivers and Ladakhies in Ladakh.

The core of militancy is confined to the Kashmiri sympathisers of Jamaat-i-Islami amongst Sunnis in the Valley. which has a pro-Pakistan element amongst them.

As per the de-limitation of 1996, the breakdown of 87 State Assembly seats are as under :-

Valley	-	46
Jammu	-	37
Ladakh	-	04

Traditionally, the Chief Minister of J & K has been a Kashmiri Muslim and this community has dominated the politics of the State. The resentment against the politicians and bureaucratic elite which is predominantly Kashmiri Sunnis amongst other ethnic groups is high. Gujjars, Bakarwals, Shias, Dards, Baltis, Kashmiri Pandits and Sikhs which almost constitute over 50per cent of the Kashmiri population and dominate in 16 of the assembly constituencies have never been allotted, more than 10per cent of the seats (4 out of 42) in the Kashmir valley. On the contrary Kashmiri Sunnis who form only 50per cent of the Valley populations and 22per cent. of the States population have all along retained no less than 38 legislators in the Assembly, as they control all the political parties and other organs of power.

POK

Ethnically: POK also is heterogeneous with different ethnic groups in Muzzaffarabad, Gilgit, Baltistan, Hunza and Mirpur - Kotli.

While the people of Gilgit and Skardu are akin to those in Kargil, the people of Poonch and Mirpur - Kotli resemble each other.

The common language in POK is Urdu.

Geo-Strategic Importance

From the geographical point of view, Jammu & Kashmir is strategically important to China, Pakistan and India.

China

Since China is in control of a portion of erstwhile J&K, she will seek to restrain any alteration in the territorial status quo which would call into question the area of Aksai Chin and the portion ceded by Pak.

The Karakoram highway is a vital road link for China as it provides the gateway to the Arabian sea and the flow of Chinese military assistance to Pakistan.

Any change in the status of J&K State (Independent Kashmir or its secession) would have a destabilising affect on Chinese Muslims in Xinjiang (Sinkiang).

Pakistan

Being a Muslim majority state with contiguous borders, Pakistan stakes her claim on J&K as it justifies the two nation theory based on religion, wherein Pakistan seeks its identity.

Viewed in the context of a larger India with smaller Pakistan, J&K provides depth to Pakistan from the North / NE on account of vulnerability of its road / rail communications.

Occupation of J&K will give full control of the major rivers and their waters for sustenance of Pakistan's agrarian economy.

The LOOC not being delineated on the ground gives Pakistan the leverage to keep it alive till J&K problem is resolved.

Pakistan is sensitive to the Neelam Valley road being vulnerable to interference from Indian side and would like to ensure its security in any adjustments of LOOC in future.

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India

Independent J&K Valley or its secession on the basis of religion would have a destabilising effect on the rest of India and detrimental to the interests of the Hindus of Jammu and the Budhists of Ladakh region. It is against the secular and democratic ethos of India.

NH1A is the only reliable road link to Leh and important for the maintenance of troops deployed in Ladakh including Siachin for any future conflict with China. India would look for greater depth in Kargil area to ensure security of NH1A.

The terrain does not permit fencing in most of the areas along the LOC and would thus require better management of the LOC to prevent infiltration / exfiltration.

Integration of J&K is perceived as beneficial to the image of both: India and Pakistan. For Pakistan it is the core issue and there can be no peace without resolving it. For India, J & K is an integral part of India. To make any headway in J and K, the issue of cross border terrorism has to be addressed.

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Appendix 'A' (Refers to Chapter 2)

Ranking of Districts by population size in 1991 and 2001

District	Population 2001	Percentage to total population of the State 2001	Population 1991	Percentage to total population of the State 1991	Ranking of Districts by Population size in 1991
Jammu	1,571,911	15.61	1,224,300	15.69	1
Srinagar	1,238,530	12.30	942,200	12.07	2
Anantnag	1,170,013	11.62	881,700	11.30	4
Baramula	1,166,722	11.59	889,400	11.40	3
Udhampur	738,965	7.34	582,100	7.46	5
Doda	690,474	6.86	544,700	6.98	6
Kupwara	640,013	6.3	461,800	5.92	9
Pulwama	63,295	6.21	507,900	6.51	7
Badgam	1593,768	5.90	469,400	6.01	8
Kathua	544,206	5.40	450,100	5.75	10
Rajouri	1478,595	4.75	382,300	4.90	11
Punch	371,561	3.69	290,100	3.72	12
Leh (Ladakh)	117,635	1.17	190,200	1.15	13
Kargil	115,227	1.14	87,700	1.12	14

Note: 1991 population figure are interpolated as no Census was conducted in the State during 1991.

Jammu Province (6 Districts)	- 43.95: 712 (43.6 per cent)	Total Population = 10,069,917
* Kashmir Province (8 Districts)	- 56.74: 205 (56.4 per cent)	
* Ladakli	- 2.32: 864 (2.4 per cent)	
* Valley	- 54.41: 341 (54.4 per cent)	



Not to scale

LoC alignment is approximate

*Chapter 3***CONTEMPORARY BACKGROUND**

It was only by the end of 19th Century that Maharaja Gulab Singh and his son Pratap Singh extended their rule over whole of J&K including Gilgit, Hunza, Nagar and areas contiguous to Chinese Sinkiang and Afghanistan. In 1913 J&K politically came under British control and a resident was appointed by the Government of India. In 1935 Gilgit was leased to the Maharaja for 60 years. The State of J&K is not really a unit geographically or demographically or even economically. It is a conglomeration of territories brought under one political authority, that of the Maharaja.

^r Genesis of Conflict

The seeds of conflict over Kashmir were really sown by the very basis of partition of the country. The declassification of top secret documents of the period during and after World War II shows how the Britishers manipulated the division of the Indian sub continent. In 1945, the then Viceroy: Lord Wavell had concluded that strategic interest of the Western Nations needed that India should be partitioned. Pakistan, a small State, dependent on the West, would enable them to control the oil in the Persian Gulf and prevent USSR from reaching out to the Arabian Sea. In 1946 the British Chiefs of Staff fully supported Lord Wavell's above suggestion. The matter was further complicated by the Independence Act. There were 526 princely states outside British India. Provision for them was different to that for partitioning British India which was to be divided by separating the Muslim majority areas. In the case of the Princely States, the ruler had the complete and absolute right either to accede to India or Pakistan or to stay Independent. Kashmir had a Hindu ruler with a majority Muslim population and border with both India and Pakistan. Thus the roots of rivalry over Kashmir really lay in the partition process, its implementation and the separate interpretation of Nationhood that India and Pakistan were to adopt. For India, Kashmir reflected a secular tradition, for Pakistan it was a Muslim region and hence should belong to Pakistan. The Maharaja further complicated the matter by

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remaining undecided on the future of the State, probably having an ambition to remain an Independent state. He signed a Stand Still agreement with Pakistan. However, it was rejected by India. On 19 June 1947, Lord Mountbatten, Viceroy of India, visited J&K, against Nehru's express wishes, in the hope of pressurising the Maharaja to throw his lot with Pakistan; a mission which proved futile.

Events leading to the 1947-48 War

To further complicate matters Liaqat Ali, the Prime and Defence Minister of Pakistan in September 1947, evolved a plan to annex J&K by force. The plan was masterminded by Akbar Khan, DSO (later Maj Gen Akbar Khan) under the assumed name of Gen Tariq. Initially 4000 rifles were issued mostly to ex-servicemen in Poonch region to revolt against the J&K Maharaja's administration. In violation of stand still agreement, Pakistan carried out economic blockade of J&K by closing road and rail routes. Subsequently, invasion of Kashmir by tribale armed, organised and led by Pakistani Officers commenced on night 20/21 October 1947. They captured Baramullah on 23/24 October 1947 where the Pathan tribals went berserk looting and raping the inhabitants. On 26 October 1947, the Maharaja of J & K acceded to India, it then joined the battle for Kashmir. While accepting the unconditional accession of J&K to India, Mountbatten in the covering letter stated " after the restoration of law and order and clearance of the soil of invaders, the state's accession will be settled by reference to the people".

The airlift of Indian Am! to Kashmir commenced on 27 October 1947. The invaders were soon pushed beyond Uri. Winter followed and the stalemate began. Pakistan failed to capture Kashmir because the tribal invasion force lacked training and cohesion required for success in such an operation. Besides, the tribals were distracted by loot and plunder and ignored the time plan and finally due to India's intervention which took Pakistan by surprise.

On 01 November 1947 Mountbatten offered to Jinnah, the Governor General of Pakistan to resolve Kashmir issue through the people's verdict, which was declined by Jinnah. On 01 January 1948, the Indian government on the advise of Lord Mountbatten took the Kashmir issue to the UN. On 13 August 1948, UN

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Security Council passed a resolution on Kashmir. India immediately accepted this resolution. Pakistan accepted this only on 20 December 1948. The crux of this resolution is a three step UN plan for resolving the issue.

(a) Step one - a cease-fire which became effective on 01 January 1949.

(b) Step two - Pakistan to pull out all its armed personnel from the whole of the State of Jammu & Kashmir. Subsequently India to reduce its forces to the level necessary for maintaining law and order by the State administration over the entire State of J&K including Gilgit area. Pakistan has so far failed to withdraw its armed personnel from the State.

(c) After the above two steps were completed, the future of the State was to be decided by a reference to the people.

Since Pakistan failed to honour the second part of the UN resolution, no further progress on the UN resolution has been possible.

In the meantime, on 17 October 1949, India incorporated Article 370 in its Constitution giving special status to J & K. Sheikh Abdullah had emerged as a towering Kashmiri leader. On 30 October 1956 Constituent Assembly adopted the Constitution of J & K which included the provision that the State of J & K is an integral part of Indian Union. J & K Constitution came into force with effect from 26 January 1957. Earlier on 29 July 1952, the Delhi Agreement was signed between Sheikh Abdullah and Central Government. This further emphasised the special status of Jammu & Kashmir within the Indian Union. In November 1952, the Parja Parishad party of Jammu agitated against the above agreement and demanded total integration of J & K with India. On 09 August 1953, Sheikh Abdullah was arrested as the Centre suspected him of developing pro Pakistan links. He was subsequently released on 29 April 1969, without any trial. In 1954 Pakistan became a member of Southeast Asia Treaty Organisation and the Baghdad Pact and thus became a military ally of the USA.

Prelude to the 1965 War

During 1962 Indo-China War India suffered defeat at the hands of China. In March 1963 Pakistan signed a boundary

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agreement with China wherein it ceded an area of 5.180 sq kms of J & K territory to China and established friendly relations with it. On 27 May 1964 India's first Prime Minister Jawahar Lal Nehru passed away. He was succeeded by Shri Lal Bahadur Shastri. Shastri was perceived to be weak. Besides this, in January 1964 the Hazarat Bal 'Moe-e-Moqaddas' (the hair of Prophet) theft and recovery incident and the riots that followed this incident gave false hope to Pakistan that the local population was ready to revolt against the Central Government. Pakistan's incursion in Rann of Kutch in 1964 and India's restraint, made Pakistan perceive India as weak. At the same time: in February 1965 a war game in Washington indicated that Pakistan could gain Kashmir.

It was under the above conditions that Pakistan evolved a plan to annex 'J & K' (code named 'Operation Gibraltar'). This involved infiltrating thousands of trained irregulars and Army units in civilian clothes into J & K to promote uprising. This was to be followed by the coupe-de-grace, appropriately named 'Operation Grand Slam'. to sever the lines of communication of the Indian troops in J & K. 'Op Gibraltar' was launched on 05 Aug 1965 with approximately 7000 irregulars being infiltrated across the cease fire line. However they got little support in the valley. In fact infiltration was detected and reported by the local population to the Army. In spite of this Pakistan went ahead and launched OP Grand Slam, a major scale military incursion in Chhamb - Jaurian sector of J & K on 05 September 1965. India decided to respond across the entire western border on 06 September 1965, telling clearly to Pakistan that India would respond with all its might to any attack on J&K. A UN brokered cease-fire came into affect from 23 September 1965. During this war the Indian Army captured three strategic posts in Kargil, 20 sq miles in Tithwal, 200 sq miles of strategic Hajipir bulge; 180 sq miles in Sialkot sector; 140 sq miles in Lahore sector and 150 sq miles in Rajasthan sector. Pakistan captured 190 sq kms in J & K (in Chhamb and Jaurian Sector) and 20 sq kms in the plains sector. In January 1966, Russian Prime Minister organised a summit meeting between Lal Bahadur Shastri, Prime Minister of India and Field Marshal Avub Khan, President of Pakistan, at Tashkent. This led to the Tashkent Declaration, wherein both sides agreed to return to pre-war positions. Following the signing of this declaration, Lal Bahadur

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Shastri died of a heart attack at Tashkent. Main points of the Tashkent agreement are :-

Both sides to exert all efforts to create good neighbourly relations.

Agreed to withdraw armed personnel to positions held prior to 5 August 1965 not later than 25 February 1966.

Non interference in internal affairs of each other.

Restoration of trade relations, communications and cultural relations.

The 1971 War

In 1967 General Yahya Khan dislodged General Ayub Khan and once again promulgated martial law. He held elections in 1970 that were swept by Sheikh Mujibur Rehman's Awami League party based in East Pakistan. Mr ZA Bhutto persuaded General Yahya Khan against the Bengali rule in Pakistan. This resulted in the Army's crackdown in East Pakistan. Lt Gen Sahabzada Yakub Khan was replaced by Lt Gen Tikka Khan, who launched a military crackdown in East Pakistan, which totally alienated the Bengalis and hordes of them entered India as refugees. This put a lot of economic and social pressure on India. The Indian Prime Minister, Smt Indira Gandhi's request to world powers to restrain Pakistan from carrying out genocide in East Pakistan fell on deaf ears. India was thus left with no option but to provide full support to Mukti Bahini, the liberation Army formed by the Bengali deserters of the Pakistan Army. This situation lasted till December 1971. The mission given to the Indian Army Chief General (now Field Marshal) Manekshaw was that, if a war broke out, he was to capture enough territory in East Pakistan to shift over three million East Pakistani refugees back to that country.

The war broke out on 03 December 1971. The Pakistani Air Force buckled sooner than anticipated and in 14 days the war was over. This led to the creation of Bangladesh with complete surrender of around 93,000 Pakistani Army and Para Military personnel to the Indian Army. On the western front, only a limited war was fought. On surrender of Pakistan Army in East Pakistan, India declared a ceasefire, which came into force on 17 December 1971. Release of Justice Hamoodur Rahman report by Pakistan in

2000 clearly blamed its Army for this disaster and break up of Pakistan; while Pakistan all along has been blaming India for the same. After the war, Mr ZA Bhutto took over as President of Pakistan.

On assuming Presidency of Pakistan, Bhutto was faced with a grim situation. While he had to obtain release of 93,000 Pakistanis who were held as prisoners in India, he also had to raise the morale of a shattered Nation, by assuring them of revenge against India. This led to signing of Shimla Agreement and subsequently Pakistan started preparing grounds for militancy in J&K. The major issues that emerge are :-

The economic blockade of J&K and subsequent aggression by the tribals, fully backed by Pakistan, on 20-21 October 1947, was a violation of the Stand Still Agreement signed by Pakistan with the Maharaja of J&K.

The whole of J&K became an integral part of India, legally and constitutionally, consequent to the signing of the Instrument of Accession by Maharaja Hari Singh on 26 October 1947 and its acceptance by the Government of India.

India took the matter of Pakistan's aggression in J&K in 1947-1948 to the UN Security Council which led to the passing of the UN resolution dated 13 August 1948 resulting in a cease-fire effective from 01 January 1949.

The UN resolution also stipulated withdrawal of all security forces and armed personnel of Pakistan from the whole of J&K prior to the holding of the Plebiscite. It was not possible to hold the Plebiscite because of Pakistan's non-compliance of this provision.

On 30 October 1956, J and K Constituent Assembly adopted the new Constitution of the State of J and K, which declared the State of J and K as integral part of India. It came into effect on 26 January 1957.

With the passing of State Constitution and signing of the Shimla Agreement in 1972, the J and K issue became bilateral. It has since never been discussed or put on the UN agenda in any forum.

CAUSES OF MILITANCY

Chapter 4

The current militancy is the outcome of the contemporary experience of the people of J & K, which has political, socio-economic and religious connotations, with internal and external dimensions. Political ineptness, tolerance of corruption for short term political gains and denial of benefits of economic development made them wary of their own leadership and suspicions of the Central Government, which over a period of time added to a feeling of alienation. Understanding of these aspects is essential to deal with the problem of J&K.

While Pakistan has played a critical and dubious role in fomenting trouble in J & K but our inner weaknesses have provided it the opportunity. We need to understand Pakistan's involvement in this context and in the historical perspective of the Indo-Pak relations.

Some of the major causes and facets of militancy in J & K are discussed below.

Pakistan Factor

Shimla Agreement is a watershed in Indo-Pak relations and it will be prudent to start with it. The Indian victory in the 1971 War resulted in the birth of Bangladesh and capture of 93,000 Pakistani POW. Pakistan was a shattered nation physically, emotionally and ideologically. The Armed Forces of India had given her a great advantage but the Indian political leadership let the opportunity to impose a permanent settlement over Jammu and Kashmir escape. The Indian team was outmanoeuvred. (Neither did we settle the Kashmir problem on the basis of 1949 Cease-fire gain, nor the UN role. All that was achieved was that the CFL was converted into a LoC (a de facto Indo-Pak boundary in J & K) and the Kashmir issue became an Indo-Pak affair, but Bhutto never had bilateralism in mind. Clause 1 (1) states "that the principles and purposes of the Charter of United Nations shall govern relations between the two countries. Clause 6 states, "Both Governments agree that their heads will meet again at a mutually convenient time in the future. In the meantime, the representatives of the two sides will meet to discuss further modalities

and arrangements for establishment of a durable peace and normalisation of relations including the question of repatriation of POW and civilian internees, a final settlement of J & K and resumption of diplomatic relations." In his first broadcast to the nation, Bhutto asserted his country's determination to take revenge and referred to Indo-Pak confrontation as a confrontation of thousand years. He also referred to the birth of Bangladesh as an outcome of India's hegemonistic designs and reiterated that he signed the agreement in Pakistan's immediate national interest and never gave up the position that final solution lay in acceptance of UN Resolution.¹

After hanging Bhutto, late Gen Zia-ul-Haq made J & K the centre-piece of Pakistan's policy, raised J & K issue at international forums and harped on solution based on UN resolutions. Islamisation of Pakistan under Zia and his Pan Islamic vision resulted closer relations with Saudi Arabia, Jordan, Indonesia, China and the Afghan Mujahideen. With the Soviet invasion of Afghanistan, Pakistan became the bulwark of free world against communism.² He exploited the convergence of geo-strategic interests of Washington and Islamabad, to pursue his own agenda in Afghanistan and J & K. Being conscious of its military limitations vis-à-vis India and based on past experience that an open conflict is unlikely to succeed, liberation of J & K should be continued from within, with military option as a "coup de grace." Pak strategy on J & K centered on projecting the struggle as indigenous and aimed at their right of self-determination, without showing undue concern for assimilation with Pakistan initially.³ The massive induction of arms for Afghan Mujahideen through Pak ISI, provided Zia the wherewithal for his designs to destabilise India. It is estimated that in 1983 over 10,000 tons of weaponry were sent through the pipeline established to support Afghan Mujahideen and the figure rose to 65,000 tons in 1987. It is generally believed that Afghan Mujahideen may have only received as little as 40 per cent of the arms supplied to Pakistan, the bulk of these weapons were used to arm Punjab militants and later in J&K. A systematic proxy war was launched in August 1988, just prior to Zia's death. Subsequent Pakistani Governments and military establishments have by and

¹ Gul Mohd. Wani, *Kashmiri Politics: Problems and Prospects* (New Delhi: Ashish, 1993).

² Maroof Raza, *Wars and No Peace over Kashmir* (New Delhi: Lancer, 1996), 61

³ Lt Gen VK Nayyar, *Threat from Within: India's Internal Security Environment* (New Delhi: Lancers 1992), p. 79.

large pursued similar strategy. Details are discussed in the next chapter on "Insurgency to Proxy War".

Internal Dimensions - Political Ineptness Mistrust and Manipulations

The period from 1953 to 1989 could rightly be called the period of inner turmoil and convulsions, marked by political ineptness, expediency, rigged elections, corruption and alienation among people providing a fertile ground for Pakistani designs for subversion. The differences in perception of events pre and post 1975 Indira-Sheikh accord is often cited as the reason for discord between the J&K and Central leadership. The root cause for it was the struggle by Sheikh Abdullah to re-establish his old position as the undisputed leader of the J&K masses with total disregard for events of the past 22 years; and failure on the part of the Central leadership to accept the fact that without establishing a political base in the State they could neither replace him nor influence events.

Sheikh Abdullah refused to dissolve the National Conference in 1975 and instead asked for the dissolution of the Pradesh Congress Committee. The Central (Congress) leadership's desire to fight the political battle locally in J&K on their terms resulted in a rebuff when ten Congress members led by Abdul Ghani Lone were welcomed by Sheikh Abdullah in the National Conference. This led to a no-confidence motion against Sheikh's Government, dissolution of the Assembly and defeat of the Congress Party in 1977 parliamentary elections. National Conference won the 1977 elections in spite of Sheikh Abdullah being ill. With Indira Gandhi's return to power in 1980, National Conference and Congress got together again but the income tax raids on J&K business elite in 1980 followed by Indira Gandhi's political attacks on Sheikh Abdullah vitiated the atmosphere again. Sheikh Abdullah's reaction was promulgation of the "The Jammu and Kashmir Grant of Permit for Resettlement Act, 1982." Opposition to the Act in Jammu was termed by Sheikh Abdullah as 'Hindu communalism'. At the same time Sheikh Abdullah got the Land Grants Ordinance passed by the Governor. The inconsistent attitude of Sheikh Abdullah, his failure to tone up the administration and uproot corruption, resulted in the emergence of new, dynastic: politico-administrative elite in J&K.

Farooq Abdullah, after becoming the Chief Minister in 1982, consistently upheld the State's accession to India and made efforts to

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clean up the administration. But the 1983 elections brought him in direct confrontation with the Congress. He termed these elections as a plebiscite between the National Conference and the Congress. This encouraged Maulvi Farook, who had joined Farooq Abdullah, to raise the issue of plebiscite. During electioneering, Congress exploited the Hindu sentiment against the Resettlement Bill in the Jammu region, fomenting the divide between the people of Jammu and Kashmir. Local Congress leaders under Mufti Muhammad Sayeed fomented trouble further by planning to unseat Farooq Abdullah by engineering defections, resulting in his dismissal in July 1984 and installation of GM Shah as the Chief Minister. The Congress charged Farooq Abdullah of being in league with those who were determined to destroy India. PC Sethi, the then Union Home Minister, deplored the increase in activities of secessionists and pro-Pakistani elements in the valley.⁴ He wrote a number of letters to Farooq Abdullah expressing deep apprehensions over militant training camps in the State and the dangerous liaison that was developing between subversive elements in Punjab and J and K. 15 August 1983 onwards, there were a series of bomb explosions in Anant Nag, Sopore, in Kashmir University area and SRTC bus stand in Srinagar. In UK, Ravinder Mhatre of the Indian High Commission was killed by JKLF; the execution of Maqbool Bhat a JKLF leader added to the tension. This was the beginning of the militancy - it made Farooq Abdullah unsure and his administration ineffective. After a period of turmoil and Governor's rule, the hunger for power, both in the Congress and National Conference leadership resulted in Rajiv-Farooq Accord and return of Farooq Abdullah to power in November 1986. Fresh elections were called for in March 1987 which the National Conference and Congress decided to fight as allies.

Balraj Puri, writing in the Economic and Political Weekly about the alliance observed that "The best way of making the border people disloyal to their country is to require them to prove their loyalty by the additional test of demonstrating their loyalty to the party at the centre."⁵ The question now is that are we following the British legacy of divide and rule? The 1987 elections which were allegedly rigged are regarded by many as the turning point in the politics of J and K. The coming together of the Muslim United Front, a conglomeration of the opposition parties in J&K was a retort to the

⁴ *Kashmir Times*, 10 January 1984

⁵ Quoted by Iqbal Masood in *Indian Express*, 17 September 1999

National Conference – Congress alliance – to what was perceived to be primarily Kashmir Muslim interest. But the rigging of elections denied them the legitimate constitutional outlet. This led to violence and finally militancy, the ground work for which had already been provided through the Jamait-i-Islami madarsa system. This also resulted in the youth turning away from the established leadership. This was a big price to pay for the 10 to 15 seats that MUF would have won. This was followed by the boycott of 1989 Lok Sabha Elections by the militant elements and its resultant fallout turned election into a farce, further eroding the faith of the people in the legitimacy of the system. It aggravated the feeling of alienation among people and provided the necessary impetus to militancy.

At this stage it will be pertinent to examine the effect of Farooq Abdullah's dismissal in 1984 and his return to power in 1986. Farooq Abdullah's dismissal without giving him an opportunity to prove his majority was similar to Sheikh Abdullah's removal in 1953, in as much that a popular J&K leader was removed in a partisan fashion. His return similarly on conditions of power sharing with the Congress again conveyed that the state's leadership will be dictated by the Centre, thereby eroding the hold of an established leadership on the masses. This largely resulted in intellectuals and youth gravitating towards MUF, impetus to which was provided by the communal riots of March 1986, followed by persecution of the local youth by the state police. The imposition of Governor's rule and return of Farooq Abdullah on Centre's terms further alienated the already disturbed and agitated Kashmiri mind. The situation was ripe for Pakistani interference and to put her subversive design into play. Inept political approach to J&K for short term political gains failed to see the pitfalls and damages of the developing situation, perpetuating unhealthy trends and the growing sense of isolation among the Kashmiris. The natural consequence was that while on one hand to secure their vote bank National Conference leaders fanned the Kashmiri sentiment with a Muslim distinction: the Central leadership exploited the anti Kashmiri sentiment in Jammu and Ladakh. The natural outcome was growth of Muslim fundamentalism, entirely to meet the ends of political expediency.

Corruption and Alienation

Riyaz Punjabi in his article, "Corruption: A Factor in Kashmir Alienation", in the Mainstream of March 1991 clearly spelt out as to

how corruption was used as a model to bring about integration of Jammu & Kashmir. The approach was distribution of spoils and patronage to appease people and particularly the elite in the shape of liberal central aid, building up of a subsidised economy, discretionary sanction of permits, contracts, licenses and quotas. The cumulative effect of all pervading corruption was the emergence of a neo-rich urban class mainly consisting of politicians, bureaucrats and businessmen. Corruption in all walks of life became the order of the day and the nexus to perpetuate it became well established.

On returning to power as Chief Minister in 1975, Sheikh Abdullah promised to eradicate corruption. Instead, he protected the corrupt and dishonest. Income tax raids against corrupt were thwarted and Income Tax Officers were physically assaulted and prevented from carrying out raids to unearth illegal wealth of the corrupt and the mighty. The jurisdiction of the Central Vigilance Commission was not extended to J & K and Presidential order of 1954 which brought all matters in the union list under purview of the Parliament excluded the powers of CBI to investigate corruption in J&K.⁶ Corruption resulted in lack of development and unemployment resulting in social tensions, disillusionment and added to the sense of alienation of the people.

Corruption is a major facet of alienation as a result of which resources meant for development were cornered by the elite. While J&K may have shown improvement in real economic terms, the common man remained deprived of minimum requirements and employment avenues for the youth got restricted. To maintain their political base intact, Sheikh Abdullah and other Kashmiri leaders kept Kashmir isolated from the national main stream and other regions within the state. Their political stance varying between desire for independence and coming to terms with the ruling party at the centre to regain power. This resulted in the Kashmiri masses being isolated and deprived, resulting in a sense of isolation. The much-exploited sentiment of autonomy and independence is hostage to the power game with masses as the pawn in it.

Islamic Resurgence and Fundamentalism

Despite all the talk of Kashmir's Sufi Islam, portions of the valley like

⁶ M C Jain, "The Constitution of India," 1975

Sopore and parts of Baramulla, Badgam, downtown Srinagar were always steeped in a kind of orthodox fundamentalism. The Jamaat-i-Islami (JI) had a strong hold over the people here.

With the rise of militancy, this hold increased and spread over other parts. The Iranian revolution gave an impetus to fundamentalism in the Valley, and the Soviet invasion of Afghanistan generated a backlash and a greater feeling of togetherness among the Muslim community. During the eighties, maulvis from UP and Bihar, especially those belonging to the Deoband school, are reported to have got employment in the Valley in mosques and madrasas. They influenced their congregations.

In fact even in the seventies the Jamaat-i-Islami (JI) was putting up its own schools in the Valley unchecked. The JI has always denounced nationalism because Islam is supposed to be supra national. According to the JI's own reports: in 1986 it had set up 266 nursery schools, 344 part time maktabas or elementary schools, 36 Junior High Schools and 23 colleges. Here bigotry, separatism and fanaticism were openly preached. Children were taught that Kashmir is a country bounded by China, Iran and India. Throughout the nineties, Government schools were a special target. About 700 schools, according to some estimates, were burnt and replaced by Jamaat schools.

Within months of the start of the militancy, Pakistan, which had trained JKLF cadres and supplied them with weapons and money, started raising Islamicised tanzeems. To start with they floated the Al-Badr by winning over some JKLF cadres. Later this outfit metamorphosed into the Hizbul Mujahideen (HUM). Pakistan's ISI had enough experience during the Afghan operations, where too they had sidelined the moderate Mujahideen groups and favoured the fundamentalists-Hekmetyar, Yunis Khalis and others. Here, after the JKLF had served their purpose by triggering off the first phase of militancy, the ISI turned to the HUM. Soon the aid to the JKLF (which clamoured for Kashmiri independence) was cut off, the HUM armed to the teeth and later instigated to wipe out JKLF cadres. They killed important JKLF leaders like Dr. Abdul Ahad Guru, Muhammad Maqbool Malik and Prof. Abdul Ahad Wani. Smaller outfits like Allah Tigers and Tehrik-e-Jehad-Islami merged with the HUM. The Hizbul Mujahideen fully supported accession to Pakistan and dominated militancy from 1991 to 1993.

The shadow of the Afghan jihad is all over the militancy in Kashmir. For instance, the Harkat-ul-Ansar (HUA) which was banned by the Americans in late 1999, had its roots in the Harkat-ul-Jehadi-l-Islami International, which was formed in 1980 in Pakistan to fight the Afghan jihad. Its cadres came from the Jamiat-ul-Ulema-Islami, which controls most of the madrasas in NWFP and Baluchistan, and the Tableeg Jaamaat. The HUA has a Pan-Islamic thrust and has units in Bangladesh, Burma, UK, Bosnia and Chechnya. One of its leaders Masood Azhar was arrested in India in 1994. He was released during the Kandahar hijack and has now formed the Jaish-ul-Mohamad, another fanatic outfit, which has indulged in a lot of suicide attacks after Kargil.

The 'jihad' in the Valley has clear political objectives—to rid the valley of both Hindus and Sikhs, to drive out the Hindus from Doda and Kishtwar, to make people shun the 'azadi' option and go for accession to Pakistan. In its wider theological ramifications, 'jihad' has also been distorted to mean liberation of all Muslim pockets from non-Muslim rule. The 'jihad' also frowns upon the worship of dead Peers at shrines and favours the Wahabi brand of Saudi Islam. The stand-offs at Hazratbal and the burning of Charar-i-Sharif by Mast Gul and the HUM are clear pointers to this trend.

While the thrust of the tanzeems is the same, the objectives when spelled out differ. The HUM wants merger of J&K with Pakistan through an armed struggle. The Harkat-ul-Ansar wants (a) global supremacy for Islam, (b) 'liberation' of Muslim majority areas, and (c) protection of Muslims in non-Muslim majority areas. The HUA is also a believer in the concept of Ummah, Muslims as one nation transcending geographic and political boundaries. It considers USA and Israel as its worst enemies. The objective of the Markaz Dawat-ul-Irshad (MDA) and its militant wing, the Lashkar-e-Tayyaba (LET) is to establish the rule of Allah (whatever that may mean) throughout the world.

Islam as practiced in J&K over the years: was very different from this aggressive fundamentalism from across the border. The Islam of Sheikh Nuruddin of Charar was quite different. Apart from being sophisticated and not averse to veneration of dead peers at their dargahs, it was not violent and not exclusionary. The fundamentalism in the Valley, as preached by the tanzeems, is of a piece with what is

being propagated in Pakistan: namely it is both violent and exclusionary.

Political ineptness, corruption and failure of democratic institutions to meet people's genuine aspiration resulted in frustration. At the political level this frustration was mixed with protectionism, which apart from isolation distorted their identity into a religion dominant one, which fell prey to fundamentalism. The broad deductions are: -

- Shimla Agreement of 1972 committed India and Pakistan to resolve all outstanding issues bilaterally, thus making the role of UN and Third party mediation irrelevant.
- Pakistan continued to harbour its intentions of annexing J&K and also avenging their defeat in 1971. Their policy became India centric.
- Zia-ul-Haq pursued a policy of Islamisation of Pakistan and exploited the situation in Afghanistan to usher in militancy in J&K. Thus the major factor for growing militancy in J&K has been its active sponsorship by Pakistan.

The internal dimensions of the problem in J&K are :-

- The political ineptness: mistrust and manipulation by the Government of India.
- The rampant corruption at the highest level denied fruits of development to the common man since bulk of the funds were siphoned off by selected few.
- Rampant corruption, rigging of elections and government's inability to resolve common man's problems led to a feeling of alienation.
- The alienation of the people was exploited by the orthodox fundamentalists to erode the Kashmiri Sufi Islam and Kashmiryat.
- The madarsas in Kashmir gave a wrong interpretation of 'Jehad' wherein the imagination of the younger generation was fired to achieve the secession of J&K from India.

INSURGENCY TO PROXY WAR AND ITS CHANGING DYNAMICS

Appendix Q – Map showing concentration of militants

Insurgency commenced with the rigged elections of 1987, when an estimated 15,000 to 20,000 youth crossed over to Pakistan for indoctrination and training during 1988-89. Consequent to Soviet invasion of Afghanistan in 1979, CIA pumped in vast quantity of arms and ammunition into Afghanistan for Mujahideen through the ISI. As discussed earlier these were diverted for operations in J&K. Pakistan had already tested its strategy in Punjab by supporting Sikh extremists. Unfortunately, in spite of ground indications in J&K and based on our experience in Punjab, both the national leadership and military failed to initiate action to arrest the situation.

Pakistan through the secessionist elements created a psychologically conducive environment for terrorism by misrepresenting world events and injecting fundamentalism through the Jamaat-i-Islami cadres. Arrest of Muslim United Front leaders before the 1987 elections and its rigging provided reason for mass scale agitation and genuine resentment which turned into violence and later militancy. This was followed by selective killing of Kashmiri Pandits and their exodus aided and abetted by a panicky administration. Kidnapping of Rubayya Sayeed, daughter of Janata Dal Home Minister in December 1989 and Government acceding to militants demand to release hard core militants for her release put us on the back foot. The killing of Maulana Mohd. Farooq, the Mirwaiz, by the militants in May 1990, followed by panicky firing by the CRPF on his funeral procession generated further anger and resentment. To top it all, the resignation of Farooq Abdullah on appointment of Jag Mohan as Governor put the Indian State in direct confrontation with the situation.

The Army was asked to undertake CI operations only in March 1990 after major exfiltration had taken place in 1988-89 and the trained cadres had returned to the valley. The valley and 20-km belt in Rajauri and Poonch were declared disturbed only on 5 July

1990. This put us at a disadvantage; Pakistan gained the initiative and a reactive syndrome set in.

The years 1991-92 witnessed escalation in militant activities and intensification of CI operations by the Army. The Army also tightened the anti-infiltration and exfiltration measures along the LoC and areas in its immediate depth. Pakistan resorted to limited attacks on selected posts on LoC and artillery firing which resulted in activation of the LoC. The Army's response was controlled, professional and aggressive and Pakistan suffered heavy casualties. This changed the configuration of LoC and more troops were inducted and CI operations were further intensified. While the military responses to meet the situation were in full gear, the administration took a severe beating due to strike by the Civilian Employees: which was resolved after 73 days by Central Govt. intervention. Allegations of mass rape on 23 and 24 February 1991 at Kuman Poshpora in Kupwara District and similar incidents were exploited by the militants to put pressure on the Government and the Security Forces. By the end of 1992, Pakistan's design became clear.

General KV Krishna Rao took over as Governor in March 1993 and the situation started turning around during the following summer. He outlined a more cohesive policy in the four major fields of militancy, revamping the administration, revival of political activity and dealing with the alienation of the people. The anti-militancy drive centered around the formulation of a unified concept, at the state and field level to plan, coordinate and execute CI operations, establishment of a CI grid, better management and strengthening of LoC, improvement of intelligence and rebuilding the police force. The militants suffered huge losses and resorted to targeting the civilians and acts of vendetta and criminal nature showed a rise. People started turning away from the insurgents and information about their activities started percolating to the intelligence agencies and troops in the field. The period upto 1995 was marked by a high rate of dropouts and surrenders by indigenous insurgents both due to heavy casualties suffered by them and ill-treatment meted out to them by the Pakistani authorities. This forced Pak's ISI authorities to induct greater number of mercenaries particularly Afghans. This led to further

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disillusionment of Kashmiris from the Pakistani design and intention of Pro Pakistani militants led by Hizb-ul-Mujahideen in particular.

By the end of 1995 the indigenous elements in insurgency had decreased and foreign mercenaries and pro Pakistani elements started calling the shots. Two pronounced facets of this change were:-

- From a combination of Pro Azadi and Pro Pakistani movement, it is mainly thriving as a Pakistan sponsored proxy war.
- It had spread to Doda and Pir Panjal areas beyond the Kashmir Valley.

The insurgency picture upto 1995 is not complete without a mention of the key events of Hazratbal in October 1993 and Charar-e-Sharif in March 1995. While handling of the former established the legitimacy of our actions in J&K, the later showed lack of political decisiveness and administrative and military initiatives. The period ended with the kidnapping of some Western tourists by the Al Faran and the killing of one of the hostages ; the fate of other five is still unknown. The basic stance of the Government not to accede to militant's pressure was correct and justified.

The years 1996-1997 was marked by pro-active initiatives in the political field. elections to the J&K State assembly and establishment of an elected Government. This was followed by elections to Lok Sabha in February/March 1998 which completed the political process.

The intrusions in Kargil Sector in May 1999 should be viewed as an extension of proxy war to raise the stakes, with militancy being brought under control and normalcy making strides. Her efforts in Doda, Jammu, Udhampur, Poonch and Rajauri, both militarily and to create Muslim dominant areas met with success, but they were not sufficient to draw international attention and provide impetus to the flagging proxy war. In Pakistani perception, the recently acquired nuclear parity with India minimised the

chances of a major conventional war or a major conventional response in another part of J&K. Pakistan indulged in the venture to raise the anti and draw international attention, for insurgency does not convey the same sense as major military activity across LoC (the so-called disputed area). The details of Kargil misadventure by Pakistan and its outcome are well known and recorded. Our junior leaders, battalion commanders downwards, and men have done India proud and their valour and dedication remains unsurpassed.

After its failure in Kargil, Pakistani ISI with active cooperation of fundamentalist terrorist organisations like Lashkar-e-Toiba (LET), Hizbul-Mujahideen (HM), Al-Jehad Council, Jaish-e-Mohammed (JEM) and Jammu and Kashmir Islamic Front (JKIF) continues to pursue a Pan Islamic agenda through foreign 'Jehadis'.

It is estimated over 2000 to 3000 Jehadis were infiltrated during the summer of 1999 itself: equipped with more sophisticated weapons like RPGs, SAMs, mines and explosives. However, the Jehadis suffered heavy casualties. 1278 were killed in 1999 compared to 1111 in 1998. our casualties were also higher 278 in 1999 compared to 230 in 1998.

The years 2000 and 2001 continued to witness higher level of militant activities and there was a spurt in IED and bomb blasts and attacks on SF. For the first time Sikhs were targeted by the Jehadi militants. when 36 Sikhs were killed in Chatti Singhpura on 20 March 2000 in pursuance of their policy of ethnic cleansing in the valley and to create a coinmunal divide.

In the political field, the APHC leaders were released in April 2000 but efforts to talk to them since then have not met with any success neither have the cease-fire of July 2000 by Abdul Majid Dar, Dy Supreme Commander of HM and later by the Central Government in November 2000 fructified. Farooq Abdullah floated the autonomy balloon by passing the autonomy resolution in the State assembly in July 2000, which was promptly rejected by the Central Government. The failure of Agra Summit in July 2001 added on to the confrontation. Jehadi militants have also been able to target Amarnath Yatris both in 2001 and 2002.

The attacks on the J&K Assembly on 01 October 2001 and on the Indian Parliament on 13 December 2001 further worsened the situation. The Government of India had ordered full scale mobilisation and initiated diplomatic measures against Pakistan.

A Fair and a Faulted Election

Two elections held back to back, one in J&K and the other in Pakistan have two entirely different stories to tell. The only commonality was a factured political verdict. The one in Pakistan in spite of Musharraf's pre-election rigging and manipulation and the one in J&K due to its fairness and in spite of Pakistan backed militants perpetrating large scale violence.

The four phased elections in J&K during September and October 2002 can be rightly termed as the fairest but the bloodiest elections in the state. During 45 days of campaigning 46 political activists mostly of the ruling National Conference including a minister were killed compared to 13 in 1996. The credit must essentially go to the people of J&K for their resolve for peaceful solution through constitutional means. The voter turnout varied from 47.25 per cent in the first round to the highest, of 52 per cent in the final round, the lowest, being 40.60 per cent in the second phase. The ruling National Conference (NC) paid the price for misgovernance during six years of its tenure. The final tally was NC - 29, Congress - 20, Peoples Democratic Party (PDP) - 16 and others including independents - 22. The results are a reflection of people seeking a change both in governance and solution through a different political dispensation.

The elections have established the credibility and legitimacy of Indian intentions to seek a solution in the world and to a large extent internally amongst the people of J&K. The rejection of the idea of trifurcation of the state by the people of Jammu has reinforced the secular ethos and credentials of India and people of J&K. Ultimately India and the people of J&K are the real winners. The Chief Election Commissioner and his dedicated teams deserve all the credit for making it possible.

The mandate clearly indicates that the problem can only be resolved by a political consensus, as whichever coalition forms the Government, it is bound to have a strong regional component and possibly the major opposition party at the centre. This should bring a natural balance in dealing with the problem. Political rhetoric during the elections should be forgotten and substantial issues and governance should be the focus. This will require statesmanship and accommodation by the Central leaders and understanding by the new Government in J&K. In the security field, issues bothering the minds of the people should be addressed, without diluting our security posture or maligning the SF. The threat of proxy war in years to come is likely to escalate due to pressure of hard liners on Musharraf, who will be a part of the Government in Pakistan. Compared to the elections in J&K, elections in Pakistan on 10 October 2002 to the National Assembly were termed by most neutral observers as pre-rigged. EU considered them as flawed and the coinonwealth observer group alleged misuse of Government machinery in favour of a certain political party (PML (QA)). In spite of reducing the voting age to 18 years, the turnout was low. Bush administration was forced to muffle its disappointment as too hard a push for democracy could produce a worse alternative. However: USA Today had protested on 10 October that Musharraf's political abuses deserve loud condemnation. The British press led by the Guardian and Financial Times was more forthright in their condemnation. While the former went on to say that if Bush's war on terrorism was remotely rational or even roughly reasoned their reset target might be Pakistan and not Iraq. The Financial Times said that the US must be warned that these highly restricted elections will not produce a stable ally. The Time had predicted that the likely beneficiary of general elections will be the religious right and he had given them freer reign in the campaign than the two main political parties, which were his main rivals.

In spite of Musharraf's best efforts to get his King's Party PML (Q/A) it could win only 71 seats, PPP got 62 and the alliance of six hard-line religious parties, Muthahida Majlis e Amal (MMA) walked away with 50 seats. What is more worrisome is that it walked away with clear majority in the frontier provinces of Baluchistan and NWFP and is set to form the two state governments. It also made serious inroads into MQM's preserve in Karachi. This is the first time that religious parties have such a

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formidable presence in the national assembly and control borders with Afghanistan. MMA has already started putting pressure on Musharraf by announcing that they will take oath under the 1973 Constitution and not as amended by Musharraf. They also want American airbase at Jacobabad to be vacated and the US troops to leave and impose the Islamic Sharia law. Its general secretary Maulana Fazlur Rehman Kalil was the leader of the banned Harkat ul Mujahideen and one of the signatories to Osama Bin Laden's 1998 fatwa calling for an attack on the US interests. It has already shown its clout by releasing 12 pro-Taliban prisoners from Central Jail in Quetta by declaring them as white.

While the future dispensation in Pakistan may give greater leverage to Musharraf to extract concessions from the USA, the war against terrorism will be seriously hampered by the MMA in control of the border with Afghanistan and with a substantial presence in the National Assembly. With MMA's Pan Islamic orientation and known support of elements within it to Osama Bin Laden, Taliban stability in Afghanistan is seriously threatened and militancy in J&K is likely to show an upward trend. The war against terrorism is heading for a stone wall. The major deductions are:-

Despite the increasing incidents of violence and infiltration during 1988-89: the state administration failed to take appropriate measures to bring the situation under control.

The rigging up of 1987 elections contested by various secessionist groups under the banner of MUF was the turning point. It led to mass scale agitations and genuine resentment, which turned into violence and later into militancy

The release of hard core militants in exchange of Dr Rubaiyya Syeed in December 1989 gave real fillip to militancy in J&K.

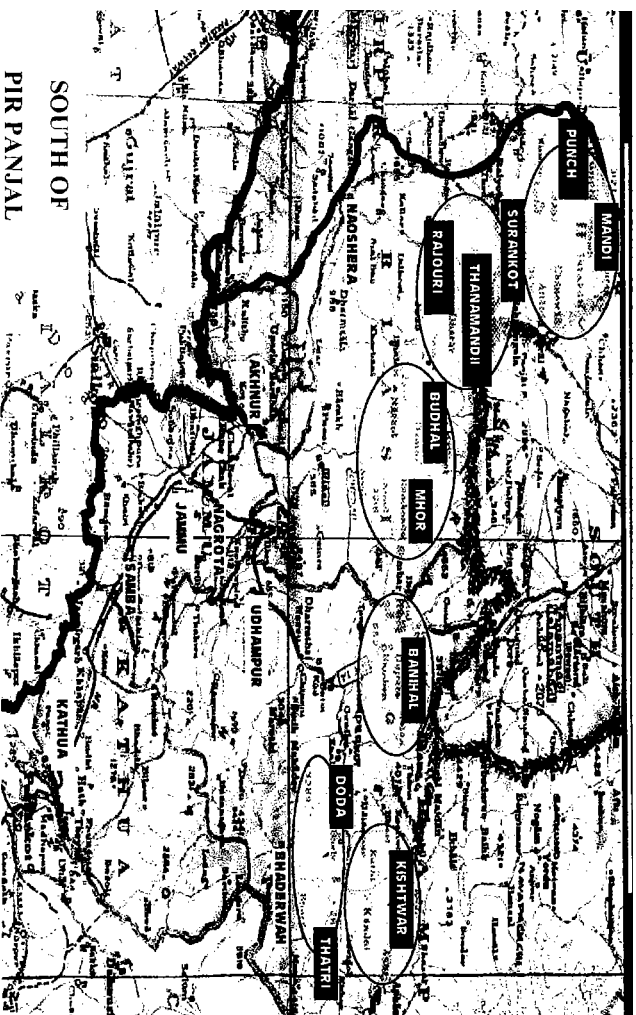
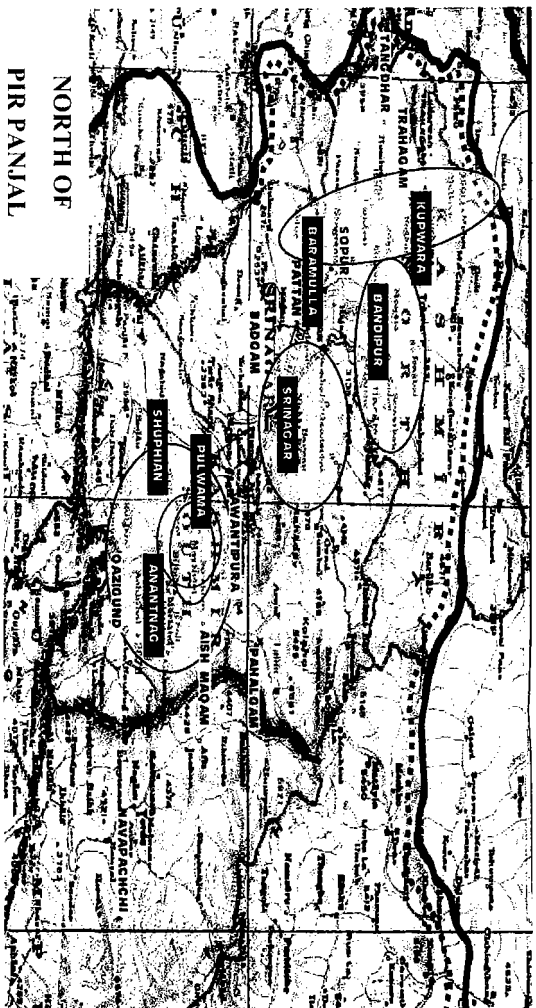
The army was actually called in to deal with the situation only in March 1990. However, the infiltration continued because the borders could not be sealed effectively due to difficult terrain conditions.

During 1994-95, militancy graduated from Pro-Azadi and Pro Pakistani movement to a Pakistani sponsored proxy war. Secondly, militancy spread to areas of Doda & Kishtwar.

CONCENTRATION OF MILITANTS

Percentage of foreign terrorists operating in J & K – 52 per cent.

Assessed strength and concentration of terrorists in J & K is as given below: -



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The security forces brought the situation under control by 1996 and election to the J&K assembly was conducted in 1997.

Post 1996, militancy moved into a different phase wherein the control passed from the indigenous militant groups into the hands of foreign mercenaries which finally led to the Kargil war of 1999.

Pakistan's defeat at Kargil gave further impetus to militancy in J&K which manifested itself in the form of suicide attacks on Security Forces' camps and spillover outside J&K.

India's efforts to resolve the problem peacefully by initiating unilateral ceasefire (Cessation of Combat Operations) on 19 November 2000 for nearly 6 months and simultaneously appointing Mr KC Pant as the negotiator on 02 April 2000 met with virtually no success.

This was followed by India extending an invitation to General Pervez Musharraf for a summit meeting. The Agra Summit between India & Pakistan, which was held from 14-16 July 2000 ended in a failure.

Subsequently, the situation aggravated due to militant attacks on J&K Assembly on 01 October 2001 and the Indian Parliament on 13 December 2001 leading to the mobilisation of the forces of the two countries and India imposing sanctions on Pakistan.

The elections in J & K in September 2002 and in Pakistan in October 2002 to its National Assembly have thrown up new challenges. While the elections in Pakistan indicate a greater role for the hard line religious right both in its domestic and external field and instability in Afghanistan and escalation in proxy war scenario; the election in J&K has thrown up an opportunity for peace and dialogue with and through the new dispensation. It is a victory for India and people of J&K. It will require statesmanship, accommodation and understanding. Need for better governance has come to the forefront.

*Chapter 6***OPERATIONAL ASPECTS****Introduction**

The conflict in J & K has its distinct internal and external parameters and these deserve a brief mention. The external dimensions of the J & K problem have expanded beyond a bilateral confrontation due to nuclearisation of the sub-continent and the transnational dimensions of Islamic terrorism. The US led war against terrorism is in reality aimed at countering dangers to the US from Islamic terrorism and guarding its national interests in the region. In their perception the danger of an Indo-Pak conventional conflict escalating a nuclear exchange is real. Pakistan is a willing and key ally of the US in the war against Al Qaeda; the US cannot afford to let her down and therefore an Indo-Pak confrontation is viewed as an avoidable distraction. While cross border terrorism in J & K is our main and immediate concern, our long term strategy must cater for an all inclusive Islamic terrorism the world over

The recent study by Rohan Gunaratna clearly brings out that Al Qaeda has effectively infiltrated Harkat, Jaish-e-Mohammed and Lashkar-e-Toiba and their cadres were trained and indoctrinated in Afghanistan before 11 September 2001. Its ideology is to create universal jihad : suicide bombings, attacks on core state institutions and killing of foreigners particularly Westerners and Christians. We have had all these in Jammu and Kashmir and India. Suicide attacks against SF headquarters, attack on J & K assembly and Indian Parliament and capture and killing of six foreigners in 1995. Al Qaeda unites diverse Islamic terrorist groups by attacking high value targets like World Trade Centre and USS Cole which acts as an inspiration for Islamic groups like Hamas in Palestine; Kashmiri Jihadis in J & K and India and Jaish in Pakistan. While Al Qaeda is under pressure but Osama-bin-Laden, Al Zawahiri and Mullah Omar are still at large. US war against Al Qaeda and Afghan Taliban has succeeded partially in disrupting

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their training camps but it is only a 'tactical set back. It will continue to operate through sympathetic organisations all over the world by funding these and infiltrating these. Their membership comes from 40 nationalities and has nucleus in 94 countries. It has decentralised operations till it reestablishes in the hilly region of Afghan-Pak border. J & K will be their target for more than one reason as pressure in J & K diminishes Pakistani establishments ability to deal with them in the west and also suits the Pakistani establishment to defuse domestic pressure. Towards this end Jehadis in J & K will continue to be supported both by Al Qaeda and Pakistani Government, and their capability will increase.

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The other facet of the Proxy war is the wide spread subversion in different parts of India through Muslim fundamentalist organisations of which there is ample evidence which we can ill afford to ignore. Therefore the strategy for fight against terrorism should be all inclusive and not confined to cross border terrorism in J & K.

Within the above overall threat of terrorism, we should examine the major factors influencing the operations of the SF in J & K.

Environment and Nature of Militancy (Refer Map J & K)

The main constituents of the environment are terrain, population and militants. The focus of insurgency in J&K is the Kashmir valley and its adjoining areas extending to the Mashko valley in the North East, Doda – Kishtwar in South East. Southern slopes of the Pirpanjal Ranges in the South and Poonch – Rajouri in the South West. The terrain in this region is mostly mountainous, covered with pine forest and with fast flowing nullahs. The Samshabari Range running North East and South Westerly direction dominates the Neelam and the Srinagar valleys. It has several passes / gullies over it which facilitate movement across this range. Its proximity to the LoC facilitates infiltration from across the LoC in one night in most areas. Similarly there are several infiltration routes from Rajouri – Poonch across the Pirpanjal range and Gulmarg heights into the valley. On the whole, the terrain favours infiltration from PoK into the valley and poses a serious

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challenge for the security forces to block it. The valley has a fairly good network of roads but the upper reaches of the ridge lines are inaccessible and movement across them is time consuming. The four major urban centres of Srinagar, Baramulla, Sopore and Anantnag are congested with narrow lanes and by-lanes. This coupled with the thick population impose severe constraints on the conduct of counter-insurgency operations while providing excellent hideouts for the militants. The adjoining areas of Doda and Kishtwar are underdeveloped with villages spread out on remote heights in inaccessible areas and thus posing the problem of dominating these villages and providing security to them. The first tier constitutes the LoC itself, the second tier (midriff) consists of the Shamshabari Range and the Pir Panjal Ranges and the depth areas of major urban centres constitute the third tier.

The valley has a predominantly Muslim population belonging to different ethnic and religious sectors. With the migration of approx two lakh Hindus / Sikhs, there is barely one per cent of non Muslim population left comprising mainly of Sikhs. Poonch, similarly, has majority Muslim population. The populations of the valley and Poonch have elements sympathetic if not supportive of the militants. The Doda - Kishtwar area has 50 per cent Muslims and 50 per cent Hindus. The minority community particularly the Hindus have become the targets of militants in order to perpetuate their design of expanding Muslim dominated areas.

Since 1996, militancy has passed into the hands of foreign mercenaries who comprise majority of its cadres (Over 60 per cent). These are well trained with experience of the war in Afghanistan, highly motivated and well equipped. The main Tanzeems currently operating in J & K have been infiltrated by Al Qaeda elements and has its support in terms of material, financial and training and are involved with its ideology. There is thus a qualitative and quantitative enhancement of their capability. The militants are specially targeting State Institutions, Headquarter locations, vulnerable areas and points like ammunition and petrol dumps, troop convoys and identified political cadres. They are resorting to suicide attacks against selected high value targets. Their overall estimated strength is around four to five thousands, with bulk of them around three thousand operating North of Pir Panjal Range in

Kupwara, Bandipur, Baramullah, Srinagar, Shopian and Anantnag area. The remainders are operating in Poonch, Mandi, Surankot, Thana, Rajouri, Budhal, Khor, Bsamhar, Doda and Kishtwar areas south of Pir Panjal. (Refer to Appendix Q)

The situation in J & K is quite different from that obtaining in the North East region. Pakistan has contiguous borders with J & K, which helps her to infiltrate, propagate, sponsor and support cross border terrorism. Its areas of interest are the Kashmir Valley and Muslim dominated areas North and West of Chenab River. Due to earlier failures in her wars with India, Pakistan has chosen the option of Proxy War and is pursuing it relentlessly. The strategy is aimed at causing death through "thousand cuts" without crossing the threshold of India's tolerance. The external and internal dimensions of the problem. therefore, require simultaneous and equal attention.

The strategy of the SF so far has been to combat militancy within the territorial limits of J & K ; they maintained the sanctity of the LoC even during the 1999 Kargil war. The Indian Army is, therefore, deployed on the LoC both against a conventional threat and to prevent infiltration across it. In depth areas SF are carrying out Cl operations against militants, and deployment to dominate population centres in order to separate militants from the population and providing protection to them. This is essentially a defensive and reactive strategy.

From the analysis of the environment, the following points emerge:-

- Good management of the border is essential to control infiltration and exfiltration.
- The deployments should cover three key terrain tiers of LoC.
- Shamshabari Range and Pir Panjal Ranges and major urban centres in depth.

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· Better helicopter mobility and helicopter gun ships are required for supporting operations in remote, inaccessible areas, particularly in Doda, Kashmir and Pir Panjal ranges.

· To counter Pak design of enlarging Muslim dominated areas, minority community pockets in remote areas need greater protection.

· In view of the changed orientation of Jehadi militant Tanzeems an assessment of the vulnerability of State Institutions. SF headquarters and logistic areas and points is essential to incorporate these in the protective CI grid in effected areas be done, rather than each agency doing it on its own. There again the emphasis should be on aggressive surveillance and action rather than a defensive bunker mentality.

Intelligence.

At the start, of militancy, quite a few operatives of the IB and R&AW were targeted and shot. Consequently the channels of information dried up. The agencies fought back, new sources had to be raised, and newer and safer methods of communication with sources had to be evolved. Surrendered militants, who knew the hideouts and other intimate details of the terrorists, provided very crucial intelligence to the Security Forces. Moreover once the Kashmiris got tired of militancy, the movement went totally under the control of foreign mercenaries, better intelligence started flowing in. From 1991 to 1994, many important Kashmiri militant leaders were eliminated on pin-point information. As regards the Army, there was no structured internal intelligence in the Valley when militancy started. In February 1990, an Intelligence (Company) Coy from the East was shifted here. A workable and I&FS (Intelligence & Field Security) set up has been established in each formation area.

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Intelligence has been a sore point with Security Forces (SF). They have far too often been the victims of surprise attacks in their camps. At the same time, the number of militants killed, and the number of encounters between the SF and terrorists would indicate

that considerable intelligence is flowing in. Intelligence is collected by a number of agencies – IB, R&AW, MI, the state Special Branch and the G Branch of the BSF, to mention just a few. These agencies are hemmed in by their charters. On paper, the R&AW is only supposed to report on developments in POK and Pakistan. Similarly the Intelligence Bureau is supposed to only report on developments within J&K. The MI is supposed to stick to tactical intelligence of interest to the security of troops. The good thing is that both agencies, R&AW and IB, disregard their charters to an extent. It is after all, impossible to limit intelligence and its dissemination to such watertight compartments. While these agencies inform their Headquarters, they also share the information locally, but there is scope for improvement. Much of the intelligence comes through intercepts as militants keep talking on walkie talkies, and also communicate with Pakistan, soliciting instructions from their ISI masters.

Civilian agencies normally concentrate on strategic intelligence. In the J&K context this implies views of militant leaders, internecine feuds between tanzeems, aid from Pakistan, camps in POK and Pakistan, and the like. What the Security Forces are interested in is information regarding where the infiltrators are coming from, the arms they possess, particulars of the guides, location of arms caches, and, most importantly: the targets of the militants. The intelligence agencies would need better surveillance devices and other equipment to enhance their intelligence gathering capability and coordination to pass on actionable intelligence to the security forces for timely response.

The entire effort of various committees looking into intelligence matters is on better coordination of intelligence and quicker dissemination. While these are problem areas, the main point that needs to be emphasised is the need to improve the quality of intelligence. And in the context of insurgency, the emphasis should shift to tactical intelligence, without of course ignoring the strategic dimensions. The efforts of intelligence agencies have to be concentrated on piercing militant outfits and planting moles in their higher echelons. This is easier said than done. It requires patience and perseverance. The US took five years to penetrate the Hizbullah after it killed 241 US Marines in Beirut in 1983. Our

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main focus should be Al Queda elements and the fundamentalist elements sympathetic to agencies have to show greater dare devilry. They also need to be provided with the latest gadgetry. Agencies need to put more staff and more money into their operations in the Valley: as also in Doda, Kishtwar, Poonch and Rajouri areas. Having said this, the Security Forces themselves should be good repositories of tactical intelligence. They are the first to interrogate the captured militants and they control the surrendered militants. However, SF need to employ greater sophistication in handling them without compromising their security.

Proactive Strategy.

To tackle the external dimensions of the problem, India needs to pursue a proactive policy rather than a reactive policy in that, Pakistan and the militants: perpetrators of violence need to be punished. This will imply enlarging the area and scope of our conflict beyond the territorial limits of J & K. In concrete terms, the LOC should no longer be sacrosanct and the Army will need to conduct punitive actions across it. These punitive actions will include destruction of the known militant camps in POK by missiles, conducting raids on posts which are forward bases launching pads of the militants. (These should be limited to within our tactical reach from the LoC). A fine balance will need to be maintained so as to limit the conflict within the space available between punitive actions and a full-fledged war. It will require a full integration of the various surveillance devices like the unmanned air-craft and good management of the media. Above all the government must be supportive of the actions of the field commanders. Such a pro-active policy is bound to have its fall out and we should be prepared for it.

The LOC will no longer remain sacrosanct and thus invite Pakistani reaction: both locally in the areas affected and elsewhere in J & K.

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The situation could escalate into a full scale war

Some of the casualties and personnel may be captured and left behind.

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The depth areas will have to be looked after by the RR fully backed by the PMF / CPO forces to a greater extent, with army mainly employed on defence of LoC (including countering infiltration) and for offensive tasks. The regular army would then be able to look at the LoC and beyond.

The other major considerations which would govern adopting a proactive strategy would be the political fall out and its international ramifications and the human cost that the nation will have to bear should the situation escalate into a full scale war. The pay off of a proactive policy would be positive in the long run.

As far as internal dimension is concerned, the track record of our troops dealing with the insurgency has been professional, innovative and good with full respect, of the humanitarian laws. This is probably the main reason for militancy in J & K being contained. They, therefore, deserve our appreciation. There are, however, certain observations and broad suggestions to improve further, the efficiency of these forces.

Command and Control Concept.

This concept, of unified Headquarters as instituted and implemented in J & K functioned inadequately during the central rule and was further diluted during the rule of the elected government. It was neither unified nor did it provide the command directions for coordinated operations. It never formulated operational policy, issued directions, tasked forces or held people accountable. It represented only the law and order facet and did not have the civil face integrated. There is therefore a need to review this concept and institutionalise it keeping in view the different dimensions of the proxy war in J & K as also the political imperatives. The all-important civil face must be integrated with the military or the law and order facet. It is learnt that a new Organisation is being tried out.

Better Management of the Borders.

The two major incidents of infiltration by Pakistan in 1965 & 1999 show that the borders in J & K are vulnerable. Troops have the difficult task of not only deploying for conventional warfare but also have to cater for trans LoC infiltration. The terrain does not lend to fencing and it is equally difficult to seal the borders by deployment of troops. Even the cost of deploying surveillance devices, which is estimated at Rs. 4489 crores at Rs. 4.6 crore per km, is prohibitive. Therefore, the key to successful prevention of trans LoC move is by superimposing on the LoC, a well thought out and coordinated mix of physical and electronic surveillance system so that the militants are intercepted while infiltrating or exfiltrating rather than looking for the same militants in depth areas. Other measures that would augment the system are :-

Improved governance: effective and responsive administration and development of the border areas in particular.

Create an effective VD (Village Defence System) under the local administration. This should be done without any community consideration. This will also ensure peoples participation.

Effective population and resources control through -

Selective relocation of vulnerable villages in selected areas.

Issue of Identity Cards.

Judicious control over movement in border areas particularly during night.

Multifarious Forces. The security forces engaged in counter militancy operations comprise of the Army, the PMF, CPO and the local police. The multifarious nature of these forces, with different channels of command and reporting, result in lack of coordination, common perceptions, intelligence sharing and, therefore, accountability. There is a marked tendency amongst PMF to increase its domain: without affecting qualitative improvements in the operational efficiency. For optimum and effective utilisation of

these security forces, there is an imperative need for rationalisation of the PMF/CPO forces aimed at improving their capability and effectiveness to deal with militancy. The operational command of all PMF engaged in counter insurgency operations must be under the army.

Enhanced Capability of the Army. The army compensates for its lack of better weapons (A.K. 47/5.56 mm) by good training and leadership. But it is high time that our soldiers are provided with at least a level playing field with the militants by inducting A.K. 47/5.56 mm rifles and night vision devices. The terrain being mountainous interspersed with fast flowing nullahs (drains) and covered with forests retards the speed of deployment of troops for intercepting the infiltrating or exfiltrating columns and executing blocking positions during cordon and search operations. There is, therefore, a need to provide adequate number of helicopters for better mobility and wireless telecommunications down to battalion level for flexibility in operational plans. Helicopter gunships should be considered for employment in remote areas devoid of population. The army cannot wait for the modernisation programme and its requirement in J & K should be met on a war footing.

Attitude Towards the Locals. The attitude of the security forces must be correct. They should not treat all Kashmiris as pro-Pakistan or pro-militants. Most importantly, they must win their hearts through good personal conduct by showing respect for their privacy and dignity. They must also be sensitive to human rights violations.

Tasking and Force Utilisation. Army was called in late, in March 1990, when major exfiltration and infiltration had already taken place and insurgency was well entrenched. Similarly, our response to the changing dimensions of the proxy war since 1995 has been piecemeal to meet exigencies of situations. Both tasking and utilisation of forces needs review. The crying need for a strategic direction for better management and an ultimate resolution of the conflict in the foreseeable future cannot be over emphasised. This is an area which the Central Government should look into in all its political, strategic and socio-economic dimensions. Confining to the ground and military dimensions of the proxy war,

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there is an urgent need to tackle effectively and simultaneously its external and internal military dimensions. This will require fully coordinated and synchronised operational responses under a unified command set up under the Army within an overall political directive to be coordinated at the state level. A possible military aim in the strategic field for the SF could be "To degrade militancy and secure the situation in J & K. To achieve this will entail dealing effectively with infiltration or exfiltration, destroy and degrade militant's capability by aggressive punitive action across LoC, combat militancy within J&K and inflict serious casualties on militants and protect population and State Institutions. The external dimensions of countering infiltration or exfiltration and degrading militant capability can be done only by the Army. CI operations within J&K essentially will be the responsibility of the Rashtriya Rifles supported by the PMF. Protection of population, State Institutions and other VA/VP (Vulnerable Area / Vulnerable Point) require local intelligence from Special Branch and dealing with militants in population centres: is essentially policing in an intense environment. J&K Police supported by CRPF are ideal. J&K Police has revived itself and is very much upto the task. Since success in one area creates pressure in another area, an overall view and coordinated action are essential - the command must be unified under the Army, with Sector Commands vested in the dominant force command. In brief:-

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- The overall operational command must rest with the Army.
- The Army should man the LoC with assistance from the BSF and carry out counter infiltration or exfiltration and punitive actions across the LoC.
- CI Grid should have a basic template of RR and PMF, with RR taking on the more sensitive areas. The Army should only be superimposed to provide greater teeth on short term requirement basis.
- Pir Panjal Range should be manned by the BSF supported by the PMF. The Army should be deployed in key areas as a strike force.

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Population centres should be the responsibility of the J&K Police supported by the CRPF.

Village Defence System should be organised under civil administration without any bias of religion or community in vulnerable areas.

Reserves. The other area of concern is that of reserves. These must be inherent in our deployments within the CI grid at unit, brigade and divisional level. Unlike conventional operations, in a CI environment, at the unit and brigade levels, these are primarily earmarked and never totally uncommitted. At unit level, a couple of platoons and at brigade level one or two companies are adequate. The brigade and unit commanders must constantly review this. At the divisional level, apart from their earmarking and constant review: their induction and timely location in anticipation of a developing situation is vital. Flexibility for this is achieved by greater familiarisation with likely neighbouring areas of employment. This must be ensured on induction of a unit into CI grid or as the situation builds up.

Stress Factor. It is a fact that the Indian soldier is probably the best in the world and the Indian Army is not a tired army. But given the complex nature of the operations and its adverse affects in a protracted conflict especially at the macro level, this aspect should not be overlooked and must be given due consideration.

Evaluating Success / Failure and Morale. The kill ratio (casualties between the security forces vis-a-vis the militants) seems to have become the yardstick for evaluating success or failure and morale of troops. While this is important, there are other pal-ameters of evaluating performance and morale of troops which must be looked into.

Major Deductions

From the consideration of various operational and intelligence aspects, the following recommendations emerge :-

A conventional Indo-Pak conflict is a remote possibility, but proxy war with its changing dimension is likely to continue.

Pakistan will continue to pursue its policy of supporting militancy in J&K and India would have to deal with it by bold initiatives at the diplomatic and political levels and punitive measures at the military level to make the cost of proxy war prohibitive.

Better management of the borders will be required to prevent trans border / LoC movement.

The deployment would need to be multi tiered with emphasis on guarding routes of infiltration or exfiltration, dominating Muslim inhabited areas and major urban centres and ensuring protection to the minority communities as well as lines of communications, vulnerable areas / points.

Pursue a proactive strategy aimed at punishing Pakistan and the militants who are perpetrating violence. This will mean enlarging the scope of the conflict beyond the territorial limits of J&K.

The intelligence agencies would require better surveillance devices and other equipment to enhance their intelligence gathering capability and coordination to pass on actionable information or intelligence to the security forces for timely response.

The concept of unified headquarters would need review aimed at having a command and control set up which formulates long term plans, reviews implementation, coordinates operations, intelligence, internal development and other aspects of counter insurgency operations and has the civil face integrated into it.

Rationalisation of the multifarious forces with a view to optimise their utilisation, improve capability and enhance effectiveness.

Enhancing the capability of the Army by providing better weapons and equipment without any delay.

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The security forces must show respect for the privacy and dignity of the locals and be sensitive to human rights violations.

The Laws must be amended to ensure expeditious disposal of militant related cases with safeguards provided to the security forces so that they could operate without fear of legalities.

The army should understand that counter insurgency operations become its primary role in a proxy war. It should review the military aims to include all dimensions of proxy war, have several parameters for evaluating its successes and failures and be conscious of the stress factor in such protracted operations.

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*Chapter 7*ADMINISTRATIVE
AND
ECONOMIC DIMENSIONS

With the advent of popular government following accession of the State to the Indian Union, land reforms were carried out of revolutionary proportions, which has no parallel in the rest of the country. Under the popular dispensation headed by Sheikh Mohammad Abdullah, " land was distributed to the tillers free of cost with the promulgation of the Big Landed Estates Abolition Act 1950. Two lakh and three thousand acres of cultivated land was transferred to actual tillers free of cost. Three hundred and ninety six Jagirs etc. were abolished. The erstwhile landlord could retain only 182 kanals of land with him. This limit was further reduced to 100 standard kanals under the Jammu and Kashmir Agrarian Reforms Act 1976. Consequently?1,17,700 acres of cultivable land was further transferred to the actual tillers covering 1,62,141 families.

Another notable administrative reform took place in mid-seventies which benefited the public at large and assured equitable development of all the districts of the state as well as the difficult pockets within each district and also ensured the involvement of the representatives of public in formation and implementation of development plans at the district level. This was achieved again during the regime of Sheikh Abdullah when he headed the State Government for the second time starting February 1975. This administrative reorganisation that made district a focal point, has been popularly termed as, "Single Line Administration". This model was based on the administrative structure then existing in the Ladakh district of the State, concept of which in turn was borrowed from the administrative setup of the erstwhile NEFA (North East Frontier Agency).

Under this dispensation the administration of all districts was reorganised with all the field departments of the district coming

under effective administrative and financial control of the Deputy Commissioner who, in addition to his traditional regulatory functions of District Magistrate and District Collector, was now designated as District Development Commissioner thus making him responsible for all the development functions pertaining to his district. Similarly all PWD units and programmes as well as staff of different public works branches in districts were put under the charge of hand picked superintending engineers. The process of planning of development schemes, allocation of resources and location of district level institutions was decided and supervised by District Development Board, headed by District Development Commissioner. This board had a number of elected public representatives in addition to official members representing important departments at the district level. The State Cabinet was expected to visit every district at least once a year to review the functioning of Single Line Administration with a view to ascertain its efficacy: accelerate the development process and meet the aspirations of the people. The decisions taken in these meetings, which were invariably chaired by Chief Minister, carried the force of Cabinet decisions.

Some minor changes and amplifications in the Single Line Administration concept were brought about in 1993. However, the basic structure remained intact. Consequent to the return of the democratic rule in October 1996, the government made ministers by name as Chairmen of different District Development Boards in place of District Development Commissioners who now function as member secretary or convener of the board meetings. This change, according to the experts in public administration, has led to politicisation of plan formation at the district level by giving more weightage to the sitting MLA's of the district from the ruling party. Virtually instructions have been passed down to the Block level and District level officers to select plan works at the Block and District levels particularly those relating to the Rural Development Department, Public Works Department and Public Health Engineering Department at the choice of the local MLA. Still the Single Line Administration remains one of the distinct features of J&K administration and a potent means to bring about socio-economic changes and good governance to the people at the district, block and village levels. The need is to make it as effective as it was

originally conceived and replicate the concept at block and village levels also. This is possible now, more than ever before, as the Panchayat Elections were concluded in the State by end of June 2001.

The last Panchayat elections were held in the State in 1976, under the J&K Panchayat Act 1958. That statute has been replaced by J&K Panchayat Act 1989, to bring the State legislation on the lines of the legal provisions applicable in the rest of the country. The Act envisages three tier system of planning and development at Village Panchayats, Block Development Councils and District Planning and Development Boards. These bodies would comprise mostly elected members assisted by government officials of appropriate levels. Provisions also exist for devolution and earmarking of financial resources and delegation of administrative powers to these units. Due to the disturbed law and order conditions, as also some logistical problems, the Panchayat elections had to be spread over a considerable period. The process of election of Panches and Sarpanches was started on 15 January 2001 and completed by 26 June 2001.

Effective functioning of Panchayats, as envisaged in the scheme of the Act, would bring satisfaction to a very large number of people and also ensure participation of the public at the grass root levels. However there are two powerful groups which work at cross purpose: in relation to Panchayats, the MLAs and government officers. Both groups see in the coming of age of the Panchayats a direct threat to their importance, power and influence, not to speak of undesirable practices. All the same if confidence of the people is to be secured and their willing cooperation is to be obtained in the development schemes and welfare plans of the government, then involvement of people at various levels, starting from village upward is imperative. In-fact there are sufficient reasons to also entrust the running and control of village level units of government departments to Panchayats and village committees.

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An unusually large amount is being spent on salaries and wages - there are over 3.75.000 government employees, 26.500 Public Sector job-holders and over 60.000 Daily Wagers/work

charged employees in the population of one crore people which, apart from other effects, has generated a phenomenon of rising expectations for services in the government departments. Ever); educated unemployed youth expects to be looked after by the State in terms of provision of employment. With the expansion in education facilities and the scope for government jobs showing a downward trend, the number of educated unemployed is progressively increasing giving rise to social tensions. A natural corollary to this has been an almost total lack of entrepreneurial initiative amongst the local population as well as diffidence of the educated youth to find job opportunities and other avenues of earning livelihood outside their home districts and State.

In spite of heavy emphasis on the social services, the benefits have not been commensurate with the expenditure. A clear example of this is the functioning of the education system where the services rendered by the school teachers are far short of requirements and expectations. Low literacy rate also reflects the same conclusion. Similarly, the level of satisfaction achieved in the health sector is also low. The list can be multiplied to include almost any sector where the government is providing services.

One of the effective strategies could be a marked and decisive shift towards income generating activities. The emphasis on infrastructure and social services need a shift from expansion to consolidation. That would increase the levels of satisfaction and deliver better results, even within the existing resources available.

The need to make civil administration more responsive and function with greater efficiency can hardly be over emphasised. First step towards this should be to post handpicked officers at the district level and provide them with necessary support both in terms of resources as well as personnel. In an economy constrained by over a decade of disturbed conditions, availability of resources can certainly not be unlimited. And there would always be a gap between the requirements and the allocations. However, optimum utilisation of available resources itself would go a long way in remedying the situation. Availability of essential commodities even in remote areas needs to be ensured. The infrastructure for this already exists and it is only a question of better management and

administrative will to ensure proper delivery system. The mechanism for redressal of public grievances requires greater attention. There is nothing more distressing than to find a person in need of help running from pillar to post. Our people have lot of perseverance and patience and no one expects a long outstanding issue or a difficulty to get resolved instantly. What is expected, and is possible at all levels, is patient hearing and sympathetic attitude coupled with an honest effort to address the problems of the individuals and collective requirements.

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In all these aspects the common denominator is the district administration which is operational at the cutting edge level. Unfortunately, it is this part of the administration which is presently not as effective as it is required to be. There is, therefore, an urgent need to ensure that the institution of the Deputy Commissioner as well as the District Superintendent of Police and their team of district officers is made really effective within as short period as possible. This can only be done by ensuring effective leadership not only at the district level but also at the higher level, especially Divisional Commissioners as well as the Secretaries to the Government. Both these categories of officers must frequently go on tour to the areas even lower than the district headquarters and provide effective direction: guidance as well as motivation in their respective spheres of activity to ensure that the administrative machinery is brought to the desired level of efficiency where it can deliver the services as is expected by the people and the government.

Unfortunately, this kind of leadership has not been forthcoming from the Divisional Commissioners as well as from the Secretaries to the Government. An analysis of the number of nights that the Divisional Commissioners of Jammu and Kashmir have spent outside Srinagar and Jammu cities during the last one year would be very revealing in this context. Similarly, if a study is made as to how many times the Secretaries to Government have visited Poonch and Doda districts in Jammu division, not to speak of the districts in the Valley and Ladakh, during the last one year, the information would amply underscore the point that is being made. This is the weakest link in the entire chain of administrative hierarchy as well as the effectiveness of its functioning; and no

effort by the government at the higher levels is likely to succeed, no amount of pumping of additional resources is going to improve the situation until and unless the presence of senior officers in the field and their interaction with the people and the district administration is ensured on a continuing and effective basis. For this purpose one finds that the only way out is to post the Special Commissioners, as was done earlier, during 1990-91. (These Special Commissioners would also be in a position to ensure far more effective coordination with the senior officers of the army, paramilitary and police forces).

Another connected issue relates to the unwillingness and unsuitability of officers to man critical and important posts in the militancy related scenario, more particularly in the field assignments. This problem is not confined to J&K alone, but is prevalent in the North eastern states too. There is unfortunately a tendency amongst senior officers to avoid working in the field: more so in difficult conditions and away from the State Headquarters. Recourse can be and must be taken to get officers of suitable seniority and competence from outside the State. This was successfully tried by GM Sadiq, the then Prime Minister of J&K during the 1965 crisis and it paid handsome dividends. It may also be worthwhile to consider revival of the concept of Indian Frontier Administrative Service which was organised immediately after independence for manning difficult areas in the North-East. These officers: drawn from middle level hierarchy of the Defence Services, did exceedingly well under those difficult and trying circumstances when there were practically no roads or facilities existing in those remote outposts. Some of the names are still remembered with fondness and admiration by the local population and have almost become a legend in the administrative lore of those areas.

The Pahari-belt in Kashmir Division from Uri to Tilel, which is exposed to PoK is most vulnerable. This entire belt is inhabited by population of different ethnicity and language and has little in common with the Valley Kashmiri except religion. These people have in the past not cooperated with the anti-national elements to create trans-border problems for India. Instead, they have willingly provided assistance to the defence forces both during war and peace. Even during the past twelve years of insurgent situation in the Valley, they have provided proof of their independent thinking

and behaviour. A policy aimed at socio-economic development of the people of this belt will pay handsome dividends in our efforts at thwarting the Pak design to destabilise India in J&K. As of now there is a sense of neglect and relative deprivation among the inhabitants of this belt. Their grudge to a large extent is well founded. Because of the remoteness and difficult communications, these areas have not received the economic impetus experienced by some other parts of the State. A conscious and even conspicuous effort in bringing them up will help in further cementing their emotional ties with the national mainstream. A policy of positive discrimination in their favour can be amply justified. If we can make the primary school, the health institutions, the Animal/Sheep husbandry unit and the water supply scheme work efficiently and provide expected service to the people, it would be a major and very important factor in turning around a sullen and disgruntled segment of the population. It is generally believed that during the regime of Late GM Sadiq (1963-1971), the people of the State, particularly of the Valley, were most pro-India. He was able to provide an efficient and people-friendly administration. And that in essence could be the secret of success in combating militancy. Influencing and winning the minds of the people is of utmost importance. For this some of the important measures and recommended steps have already been outlined.

Equally important are the efforts directed towards breaking and overcoming centuries of isolationism and seclusion of the Kashmiri society. The Kashmiri, irrespective of his caste, creed or religion has been part of a closed society and beset with a kind of siege mentality. There are historical, geographical and sociological reasons for this. Four decades after independence this mentality did not change. This was shattered by the twelve years long militancy. Two very major unintended benefits of militancy have been the movement of trade and young people from the Valley to other parts of the Country. The Kashmiri artisan, trader and businessman has traditionally operated in a sellers market, content to sell his produce to the tourists coming to the Valley, and also some exports made due to contacts with tourists. However, with the inflow of tourists coming to a standstill after 1990, due to militancy, the valley people connected with the trade started moving to other part of the country. Today there is no major city or tourist spot where

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Kashmiri establishments and goods can not be seen. The turnover of local handicrafts and produce has seen an impressive increase. The economy of Kashmir has been truly integrated with the national economy.

Similarly, due to disrupted education system, an appreciable number of students, both boys and girls have moved out to the four corners of the country for acquiring degrees and technical education. This southward movement also made families of the traders and students to go out of the Valley and see what India truly was like. And what they have seen and experienced, has created a very positive impression. They have seen the physical enormity of the country with all its diversity and yet an underlying unity of Indianness. And what has impressed people of the Valley most is the fact that in all these years nowhere has there been an instance of a Kashmiri being harassed due to his or her origin, religion or background. This aspect of India would never have been experienced and realized by them unless they had moved out.

But this phenomenon has been entirely due to private initiative and compulsions. There has been no effort by the State or Central government to encourage mainstreaming. A deliberate effort by the governments is required to encourage and ensure movement of people from the State to the rest of the country for the purpose of tourism, education, trade and employment.

As has been mentioned earlier: there has been over employment in the State and a lack of entrepreneurial drive. Today we have over one and half lakh unemployed youth. Till the economy takes a turn and jobs are created in the private sector in the State, this mass of unemployed job seekers has to be taken care of, for obvious reasons. The State government is in a negative resource position and in any case all development schemes and creation of jobs are being / will be paid for by the Centre. Therefore, it makes eminent sense to launch a policy of providing jobs to local youth outside the state, in government, public and private sectors. It should be a well coordinated national effort: which will pay handsome dividends and have the twin benefits of providing jobs to the unemployed youth as also help them in understanding the rest of the country.

Another important component for economic and social integration is taking railways to the Valley. Today people of Kashmir feel they are far removed from rest of the country. Railways not only provide a much easier and more comfortable means of travel but also give a psychological feeling of being a part of the network. The people of Jammu used to feel isolated from rest of the country till trains reached them in 1972. For a real integration of the Valley, the train to Srinagar is a must. This was realised by the national policy makers during the mid-nineties and serious planning and execution work started on the 290 Km Udhampur-Srinagar line. In 1997 it was estimated to cost Rs.2500 crores and take 8-10 years to complete. Considering the overall benefits and the money and resources the nation has been pumping in the State: the investment and efforts put in connecting the Valley by train is not only worthwhile but long overdue.

We are facing militancy and disturbed conditions in J&K for over twelve years. In our efforts to bring back peace and normalcy: whereas the anti-terrorists operations need to be pursued with greater vigour, the critical element is the population. For this the role of the state administration assumes crucial importance, especially at the cutting edge level. Some broad parameters and measures have been enumerated purely as illustrative indicators. There is an urgent need to realise the importance of the administrative set up as a tool to fight militancy and an important means to restore peace and normalcy, and not to condemn it.

The lead role in controlling insurgency has to be finally played by the State Police and hence there is a need to continue the process of revitalization of local police. Restoring peace and complete normalcy is the primary aim of the State Government. For achieving this objective, launching operations against the militants is not sufficient. It is equally important to provide a clean and efficient administration to the people of the State so that they become willing partners in the offensive against insurgency. All requisite measures, therefore, should be taken to tune up the administrative set up and improve the delivery systems, with a view to ensure optimum level of efficiency, thereby increasing the satisfaction of the public to the required level. For this purpose, a concentrated effort by the entire administrative hierarchy would be

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required. This may also be the right time to institute and follow unorthodox systems of quick rewards and punishments to the government employees so that inefficient, corrupt and recalcitrant elements are dealt with firmly and those who work with zeal: dedication and efficiency are encouraged and rewarded. The major deductions are :-

- (a) To give boost to the State Administration. The single line administration with the Deputy Commissioner as the head of the district development boards needs to be re-introduced.
- (b) To regain the confidence of the local population it is essential to formulate an effective mechanism of redressal of public grievances.
- (c) The development activities in the infrastructure sectors (Health, Education. Roads. Hydro Power etc.) needs to be given a boost.
- (d) There is a need to rejuvenate the state economy
- (e) The education system calls for reorientation with emphasis on job oriented training and modern technology.
- (f) There is a need to bring the people of J&K into the national mainstream.
- (g) Need to revitalise local police.

Chapter 8

DIPLOMATIC ASPECTS

Following the dramatic attacks by terrorists on New York and the American decision to declare a war against terrorism, the world will now – in all probability – witness Cold War of a new kind. While the Western powers spent several decades matching the Soviet bloc – missile for missile – until 1990, this Cold War will be different. It will see the West and the world's mature democracies pitted together to battle institutionalised terrorism. And Pakistan's sponsorship of terrorism – under the label of jihad or what General Musharraf insists is a freedom struggle – will require Islamabad to rein in its Islamic warriors.

Until then, scores of innocent Indians will continue to be killed by repeated terrorist attacks sponsored by Pakistan, across the state of Jammu and Kashmir. New Delhi wants the world to label Pakistan as a State sponsoring terrorism, preferably so that enough pressure can be brought to bear on Pakistan to stop terrorist attacks on innocent Indians. And the volumes of documentary proof that New Delhi repeatedly puts forward to several important capitals of the world – on Pakistan's sponsorship of terrorism – meets with little overt or formal support from any of the major powers.

On a bilateral level though, there may not yet be a breakthrough between India and Pakistan over J&K, given the diametrically opposite positions of New Delhi and Islamabad. The essential reason is that Pakistan has a one point agenda of getting J&K to secede from India, while India's policy towards Pakistan and J&K lacks coherence and can mean many things to many people, often leaving the average observer confused.

The J&K issue has thus become the most contestable, emotional and certainly unresolved issue governing Indo-Pakistan relations since their independence. But what was until recently for India the problem of J&K became by early 1990, the problem in J&K. With India's guns continuing to point towards Pakistan and

China, its rifle barrels were now turned inwards against separatist militants in the Kashmir valley.

Sadly, the J&K imbroglio remains the legacy of India's eagerness to take the issue to the UN, which internationalised it, but left it unresolved. It highlights the multiple strategic cum politico-military factors that the Indian commitment to J&K involves. The very impetus for the creation of Pakistan was based on the premise that South Asia's Muslims could not be secure elsewhere (implying a 'Hindu' India). Thus, Pakistanis cannot accept that India's Muslim community – larger today than Pakistan's – could possibly live contently in a secular India. But they do so, and this worries Pakistan. Hence, the external dimension to J&K's internal problems. And while India insists that it will not accept any role by a third party in J&K, more influential nations are keen to play a more activist role, and are bypassing the UN when they prefer to.

Therefore, despite the upheavals in J&K over the past decade, the international community has come to recognise the J&K problem as that of militancy disguised in Islam. The Pakistanis will insist it is otherwise, but, only a few countries buy their line. Because the Pakistanis are now seen to be sponsors of cross border terrorism. Also because India's secularism continues to protect the world's second largest Muslim population of which J&K is also a part.

The attack on the World Trade Centre (WTC) on 11 Sep 2001 and the events thereafter have highlighted the threat posed by terrorism to the world community as a whole. No country appears to be safe from its menace. This issue was brought to fore by offensive diplomatic efforts by the USA and by the Prime Minister of Britain Tony Blair, wherein the Western and the Eastern bloc of nations have joined hands in declaring a war against global terrorism. India rightly offered its full cooperation and highlighted the problem of cross border terrorism in Jammu and Kashmir. Now that the war in Afghanistan has almost ended, the Indian diplomats must emphasise on the world community particularly the USA that the war against global terrorism will not be over till the training and

support bases all over the World including cross border terrorism by Pakistan in J&K is eliminated.

India should expose Pakistan's duplicity with all evidence in that Pakistan while portraying its part as fighting terrorism on one hand, is supporting cross border terrorism in J&K on the other. Thus build international pressure on Pakistan to reign in the Jehadi elements or else face the consequences of a nation supporting terrorism.

Notwithstanding the above, India must continue to keep the process of dialogue open with Pakistan so as to find a long term solution to the Kashmir problem. In this context, India should not be averse to diplomatic moves by the USA and other world powers to create suitable environment for such a dialogue to resolve this complex issue by mutual agreement. We must remember that the Tashkent Declaration of 1966 was facilitated through Russian efforts.

India is legally committed to regain Pakistan occupied Kashmir (PoK) because the whole of the state of J&K including PoK was acceded to India in 1947 by Maharaja Hari Singh, the then ruler of J&K. This accession is therefore legally binding and rightly ratified by the Indian Parliament. However, keeping in view the history and the ground realities of the situation, India & Pakistan as mature nations must find an acceptable solution based on mutual adjustments and accommodation. India could, for instance, draw a linkage between the Indus Waters Treaty and a new arrangement over J&K, warning Pakistan, that if it was to go against the agreement, over Kashmir, India would then refuse to honour the Indus Waters Treaty: placing Pakistan under pressure, as the waters of the Indus are essential for Pakistan's existence. Much as Islamabad insists that it is committed to the 'liberation' of Kashmir, its commitment is essentially on two grounds. One, that the source of its main waterline: the Indus, is in India, and this has always made Pakistan feel insecure. The other is the fact that Islam doesn't hold Pakistan together. Anti-Indianism does, and the rivalry with India over J&K is a perfect illustration of this anti-Indianism.

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For India, the retention of J&K is of strategic importance. Its breaking away can lead to secessionism elsewhere, as in North East India. Besides, it could even lead to the Balkanisation of India, that Pakistan has been aiming at for all these years. This could make the bloodshed of the 1947 Partition look pale in comparison. And therefore, there has emerged a political consensus in India (as has long been the case in Pakistan) – over the J&K issue. In short, the J&K issue is as politically vital for India as it is for Pakistan.

The broad deductions are :-

Inability of our diplomats to project India's position with regards to J&K being an integral part of the country.

India & its diplomats are not convincingly exposing Pakistan's involvement in cross border terrorism.

In the post 11 September 2001 era, when the world community has declared war against global terrorism, India has failed to convince the world community of its being a victim of cross border terrorism by Pakistan.

In finding an! solution to the problem of J&K, India seems to be ignoring the active participation of the people of J&K.

An! viable solution to the J&K issue can only be found through a dialogue with Pakistan. In this context, India seems to be averse to any diplomatic moves by the USA and other world powers to create a favourable environment for a bilateral dialogue.

Chapter 9

ROLE OF MEDIA

Soldiers and journalists are not the most like-minded people, though they are not much different people either. Their relationship can often be unusual and complex. The media craves for the unusual – since bad news is good news – and so, wars will always make headline news. There is, however, a need for the military and the media to understand each other, more importantly, to develop a respect for each other. While the military on the one hand is insulated and secretive ; the media is proud to be open and can hardly ever keep a secret.

All over the world now, military institutions have embarked on a new relationship with the media, since the media moulds national and international opinion. and is a potent force multiplier. In this century, they will need each other more than ever before. This doesn't only apply to the electronic media but also to the print and the vernacular media. In fact: it is said that in the 21st Century, an eve for public relations and military intelligence will be a major component in the selection of higher military assignments.

In today's situation, journalists, at least at the National level. see their job as part of their moral commitment to society, and with the odd exception. are upright people. But unlike soldiers they do not have a written code of ethics. and see their role to be :-

To create public opinion.

Act as a watch-dog for citizens. especially on human rights issues.

Keep the public informed, with balanced coverage of events; and

Maintain national morale by giving responsible news reports.

Chapter 9

However, wars could come without a warning – as it happened in the Kargil conflict between India and Pakistan – and journalists will be tempted to rush blindly into a war zone to get there first for a good story, and not necessarily an accurate report. Both, the Gulf war (when satellite television brought the conflict in 'real time' to its viewers) and more recently in the Indian context, the Kargil conflict (India's first televised war); have highlighted that when 'reporting' on a conflict the journalist cannot make up for their ignorance with enthusiasm alone. They do require considerable understanding of the mysterious ways of the military and, therefore, the need for the media to be better informed about military affairs. Equally, the armed forces must now be trained and prepared to facilitate the tasks of the media, and also to counter disinformation. 'Information' is power in this age of information. During the Kargil conflict, the inability of India's Ministry of Defence Public Relations section to handle the media, led the Indian Army Headquarters to set up an Information and Public Relations Cell. This enabled the Indian Army to monitor and disseminate information in a calibrated manner, throughout the conflict.

In a debate on the subject of 'Military-Media Relations' at the United Service Institution in New Delhi, some of the issues that emerged in the discussions between a few media men and a larger group of service Officers were:-

National interest is not necessarily a monopoly of the Establishment and national security and the interests of the Establishment are not always the same thing.

The Media often operates at two levels in conflict situations, with a (i) Field Team, that is often respectful towards Officers and Commanders and (ii) Capital News Agencies that can be quite critical and often dismissive towards the Government.

While the target audiences for the Media in a war could be the international community, to justify the war: in counter insurgency operations, it is the local population.

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Therefore, military commanders should not only concentrate on the operational issues alone but also on the public and media relations. In short, Information must be made a Principle of War.

War reporting is not only a chronicling process, but also a learning process and, therefore, it is essential that in a war, or even in a proxy war situation, military units or headquarters at all levels be equipped with 'press kits' and appropriate backgrounders for journalists. They should have maps, information on terrain, enemy deployments and the broad aspects of their strategy which can be revealed without compromising surprise or security: since journalists are not good at keeping secrets.

And while denying the Media any information or waiting too long to structure a correct response, might seem a safe thing from the Establishment's point, experience dictates that the government spends more time making up for the damage caused due to bad press at a later date. The military and the Establishment must understand that speed is of essence to the electronic media. Since its source of sustenance is its audience! it has to operate by the rules of the market in this 'Consumer Era'. And if a media agency does not get the news reports, there is the danger of it glorifying a terrorist himself - as they did in the case of Mast Gul, the man responsible for burning down the Charar-e-Sharif shrine in 1995, in J and K.

Thus there is a vital need for Military -Media cooperation, and not necessarily a 'management' of the media and Government agencies. And the armed forces must accept that: -

There is no such thing as niche information, restricting information to a handful of people serves little purpose; instead, military formations must broaden their hierarchy for dissemination. Keeping secrets is not so easy any more; as even friendly agencies do often leak out information since what might be a sensitive issue for the army in a counterinsurgency operation, might not be so for the police.

Today's modern communication is instant and reliable and bad news to senior commanders could come faster through television or the radio and not from intelligence agencies. (It takes just a phone call to reach a newsroom anywhere in the world).

The media they say is 'the terrorist's best friend... and as terrorism is aimed at those watching television – the TV is the medium of declaring who is important – terrorists feel that the road to identity is to do something violent...' Therefore, in insurgencies, by using the media selectively, terrorists are able to not only instill fear and insecurity amongst the people, but also create doubts in the minds of the security forces about the efficacy of their counter-insurgency operations, which in turn make the people and the military lose faith in the government.

There are however certain impediments to Military-Media Relations. First, the government / military establishment has yet to fully appreciate the power of information and the role of media in policy making. And next: the media does not respect the societal borders and taboos of the past. It is inspired by its own goals and will go to any lengths to get news to the people – the consumers of information – who deeply resent any government control over the media. Therefore: the media must not be controlled. And, holding back information and the banning of media from sensitive areas alone leads to bizarre reporting, because the media must report something! The establishment has yet to recognise the importance the terrorist places on news. (Almost all militant outfits (tanzims) in J&K have a Public Relations team).

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And so, winning the media is half the battle, and a 'bonding' with the press is very important. For this the military must follow two simple rules. First, it must respond or confirm a report if it is correct and deny if it is wrong. It also helps to spell out the follow up action that is at hand such as an operation currently underway or disciplinary action being taken against soldiers in case of misdeeds. But soldiers must stick to the facts (however unpleasant they may be) and leave analysis to the media. This will increase their credibility.

Also: helping the uninformed reporters in the correct identification of military equipment is necessary, as incorrect references by reporters to equipment in a news-report can have serious implications. (For example, reports that tanks and not APC / ICV are being used in CI ops / Aid to Civil Authority, could create alarm the world over). And secondly 'media-savvy' Public Relation Officers down to unit / sub-unit levels, must be appointed, since the battlefield of tomorrow will be that of low-intensity conflicts and of limited wars, where higher Formation Headquarters will often be too far away to respond quickly to the demands of the media.

A key issue that senior military officers in most armies are yet to come to terms with is that while the widest reach is that of the electronic media, it is paradoxically also the most superficial in its content. So, a long drawn out interview is often a waste of time with Television journalist, who will often carry only a sound-byte or two. A subject makes news for about 6 hours; after 12 hours its often history. Also Television crews often prefer to show younger and more energetic commanders on the ground, who look good and sound good. While the print media prefers to meet senior officers for detailed interviews which are quoted ad verbatim. Both have their own importance. The shelf life (and reference value) of printed matter is much higher than a Television report; and it thus requires equal attention.

And while analysis can be left to the columnists, a reporter attempts to show the situation on the ground – who is doing what to whom, and with what effects and why. As the media has its eyes and ears to the ground, it can be said that, when there is a policy vacuum, when governments are without a course to follow or an expedient to clutch at, then newspaper or television images have a jolting effect, goading the leadership to move on.

It is important to understand that whether it is Kosovo, Kargil or Kandahar, it is the media's job to report the news and it is that what they will continue to do. And this could happen with greater frequency than ever before, with round the clock news channels mushrooming everywhere. But these often lack in quality reporting, since more could mean worse. And so, journalists in the field will be under pressure from their news editors to give 'consumer-oriented

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news' with pre-conceived notions. But good journalists are always objective. The fourth estate or the media is on nobody's side, the more professionally they are dealt with, the more positive is their response. In the news business, it isn't indifference but involvement that makes all the difference. And as commitment is essential to be a good soldier, good journalism is the 'journalism of attachment'.

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The major deductions are:-

India is not exploiting media's potential to fully expose Pakistan's involvement in cross border terrorism in J&K and disseminating timely information of various events to avert speculative reporting.

India has failed to attack Pakistan's credibility to support its creation like the Taliban in Afghanistan in times of adversity and thus creating a divider between Pakistan & the militant groups.

All formation Headquarters down to Brigade must have updated backgrounds for their areas of responsibility. which should be available down to unit and if possible. sub-unit level.

Army must permit factual briefings down to sub unit commanders involved in a situation. Denials and confirmations must be immediate and at the local level.

Information and PR cells should be established down to formation levels of brigades/sector headquarters.

Involvement is the key to better media response.

Some Aspects of Psychological Operations

Psychological operations should aim at isolating the militants and winning the confidence of the people. Both these aspects are complimentary to each other and equally important for success. These operations cover the entire environment of political, economic, social and psychological spheres. It, therefore, requires an integrated approach by all agencies of the Government and SF. The

part played by the civilian government and its agencies is predominant as the mainstay of activities is the effort put in by them to remove the causes of alienation and estrangement and to project a healthy image of the government. More propaganda and projection of government's desire, policies and intentions without visible results will lack credibility and be counter productive.

As SF operations cause harassment and restrict public activities, these therefore are bound to generate resentment. Unless smoothened by a genuine desire and effort to minimise it and keep people informed, it is bound to result in hostile attitude amongst the people. This in turn brings allegations of atrocities committed on innocent individuals and groups, which may be exaggerated or even false but media invariably whether local, regional, national or international takes up these projections. This adverse propaganda not only affects the local masses but is believed in distant places. Consequently, troops suffer a loss of image and feel frustrated and demoralised. This comes in handy for the militants to vitiate the public mind. To counter it, our primary thrust should be to keep the public informed of the facts even if these are most unfavourable. One of the most effective ways of doing it is to have an open area in each unit and formation, where public has full access to information of interest to them. Forestalling is preferable to refutation. As regards the militant propaganda, we should constantly anticipate as to how it will develop to misrepresent our actions and its means of dissemination. To counter hostile propaganda: a combination of control measures to prevent, their dissemination and propagating a counter there will achieve the desired results. In this we should always highlight the individual act and identify the militant as an individual and not as a member of a country or religious group except in the case of foreign mercenaries sent by Pakistan as their acts are propagated by their masters across the border and have no consideration for local feelings and sentiment. Even in this regard we should present facts and let the media and people draw their own conclusions.

Although a psychological operation is a field with its own expertise, our experience with the experts has been dismal. They are essentially publicity men without any feel of the environment. We should depend on our own judgment and feel of the area and

give credible responses at the grass root level. Although SF in the field cannot embrace a large sphere and may appear to be touching the fringes, nevertheless, their efforts are important and a lot can be achieved by them particularly in remote areas. It is, therefore, important that SF develop proper orientation to psychological operations and constantly identify areas of interest to them. The thrust of our efforts should be to build up mutual confidence with the populace and establish our credibility and sincerity.

Psychological operations should target the population, own troops for motivation and the militants.

Population

- (i) Convey the correct picture about the happenings in the area of their interest.
- (ii) Expose anti Kashmiri and anti social designs of the militants. emphasis has to be on the adverse effect of their actions on the local community.
- (iii) Give alternatives to the population to vent their grievances and let public form independent opinions based on facts. This is a continuous process.

Troops

- (i) Educate and constantly update them of militant activities and vital importance of carrying out operations against them.
- (ii) Constant update on issues affecting populace in their area and their likely response to operations to diffuse adverse fall out.
- (iii) Motivate troops constantly. The critical element in this is that troops develop a sense of involvement with the task. This can be achieved if troops are involved as per a design and not as a reaction or for non productive ends. Commanders must be

clear of their aims and what they are trying to achieve, which must be known to troops and execution left to junior commanders involved. In a CI environment mental involvement and mobility is as important as physical. A two way traffic between Commanders and troops and Senior Commanders and junior leaders should be maintained at all times.

Militants

Apart from what has been discussed above, there is constant need to update and disseminate factual details of militants, their organisations and influence, and capability to all troops. With this background their weakness and misdeeds should be highlighted and exploited. Interrogation reports, captured documents and known discontent are essential ingredients to develop anti militant themes and to expose their acts which have no bearing on local issues or causes.

Fraternalisation and civic actions are our principal means of establishing mutual confidence and to win over the population. Since fraternalisation will involve from the highest commander to the junior sepoy, it is essential that certain guidelines based on local environment are laid down. It must be built by inculcating a sense of involvement with the locals amongst us and should be guided by sincerity, mutual respect and understanding the sentiments of the populace.

In the field of civic action, there are two clear cut levels. one at the grass root level of village and other embracing the entire area of responsibility. At the village level we should determine the immediate socio-economic needs of the village as a whole. Emphasis should be on small projects improving living conditions, education, community development and to meet material requirement of rare commodities: provision of sanitation, water supply, medical care, fair price shops, schools, assistance in agricultural field and cultural activities. The aim should be to ensure participation and do what they want with their help. At the higher level it will involve bigger projects for the well being of the community as a whole. This will require detailed identification, planning and resources. While

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executing civic actions, we must avoid favouritism towards special interest groups, political misuse of effort and ensure that these do not conflict with government development plans or deny jobs to locals.

Whereas the government's resources for psychological operations in terms of media are many, our primary source is human but we have the advantage of being able to reach the remotest areas. This requires that our junior leaders are properly oriented and briefed. It will be of help to form teams at unit and formation levels to execute it.

Psychological operations, particularly propaganda and counter propaganda and public relations are closely linked. The need for a well coordinated plan cannot be over-emphasised.

*Chapter 10***MAJOR RECOMMENDATIONS****General**

The discussions in the previous chapters have highlighted the politico-strategic nature of the conflict in J&K with its internal and external dimensions. The nuclearisation of the sub-continent has put a question mark on an all out conventional war. The likely scenario in the future will be of sub continent conflicts (proxy war) and limited wars. Militancy, which grew out of political ineptness, isolation: frustration and alienation, is being sustained through Muslim fundamentalism. Externally, Islam has become central to Pakistan's mind set, a handy instrument for Pak Arm?; and ISI to exploit. The threat of Islamic Jihad extends beyond J&K to the entire country and the region. Countering it requires as concerted an effort as fighting the proxy war.

Efforts both for conflict management and conflict resolution in short term have to take into account that Pakistan is unlikely to permit a major de-escalation of the proxy war. Thus the Indo-Pak confrontation can be expected to continue. Hence, conflict resolution measures limit themselves in preparing ground for it, the emphasis has to be on conflict management. A holistic approach is called for. Delhi and Srinagar have to attend to socio-economic and political aspects on the one hand, and security problems on the other. Success can be achieved only if both the problems are addressed. Thus, creating synergy between political leadership, bureaucracy and Security Forces is essential: as also a synergy between the Centre and the state government.

Policy has to flow from a well defined aim – The overall aim of the GOI should be "to secure J and K against militancy and to restore peace in the state". To achieve it will require political, administrative, military and diplomatic efforts. These efforts should the efore have clear cut goals and objectives: which could be as under:- r

Political. To create conditions to allow people of J & K to freely elect their representatives and the government thus elected to provide efficient and effective administration.

Military. To degrade militancy and raise the cost of proxy war for Pakistan thus securing the environment.

Diplomatic. Isolate Pakistan internationally on the issue of cross border terrorism and the threat it poses to the region and the international community.

Administrative. To ensure the political, social, economic and religious security of the people of J&K and address their problems with their willing participation.

To achieve the above aims, the following measures in the policy framework are recommended.

Political

Alienation. Alienation is the cumulative effect of anger and frustration of what is perceived to be denied to the J&K masses in the political, socio-economic and religious fields. As also the mistrust that exists between J&K people and their own leadership, between the various people of other areas of J & K and suspicion of the GOI. Removal of alienation will be a long drawn out process and success will depend on how credible: legitimate and honest efforts are made to remove people's hardships, the primary need is to identify people's needs and fulfill these with their participation. The feeling that Kashmiris are a pawn in the Indo-Pak confrontation, a total distrust of the democratic and developmental process, non acceptance of genuine dissent both by Delhi and Srinagar, corruption, prolonged conflict, human rights violations and fundamentalism have all added to the feeling of alienation.

At the social level J&K community which was closely interwoven, was targeted, while those not supporting militants were accused by them as traitors and un-Islamic. The SF suspected them of connivance. Suppression and fear of social rejection left no space for dissent, resulting in ambivalence of the Kashmiri mind.

set. In the absence of opportunity to voice their true feeling, Pakistan has been successful in creating a crisis in ideology in J&K. This confusion needs to be addressed seriously for winning the support and confidence of the people of J&K

Psychologically, dissidents (Pro Azadi) and Pro-Pak elements and informers were dealt with the same harshness, resulting in spread of suspicion, hostility and anger in the whole Kashmiri community. The ghosts of Pak and ISI became larger than its reality. An effort to relieve Kashmir community from the feeling of being watched is fundamental to rejuvenation and removing alienation.

Economic. While there has been a substantial improvement in the standard of living and 33.4per cent of the population which was under the poverty line in 1977 dropped to 16.3per cent in 1984 and per capita income in the State rose to Rs. 3344 in 1986-87 from Rs. 566 in 1971-1972 (sixth highest in the Country) but in the perception of J&K people it did not benefit them in real terms. The avenues of employment being limited to Government Services there was an increase in unemployment, by 50per cent from 1986/87 to 1989 from 1.00.000 to 1.50.000 which made it easier to mobilize youth for militancy. The main grey area is the subverted education system, which needs revival, job orientation and vocational training for self employment. Infrastructure for industrial development is meager and 70per cent of the population depends on agriculture and only 11per cent of the work force is employed in manufacturing and processing industries. J & K has 9per cent of the total national Hydel potential of which only 2per cent is tapped: out of a total potential of 12,000 MW the total required for J and K only is 700 MW. Rise in power tariff and discontent against acute power shortage in 1988: was ruthlessly suppressed, which acted as a catalyst for the flare up. Horticulture has suffered since 1970 due to competition from HP, lack of cold storage facilities during transit, transportation and taxes compared to HP, non availability of pesticide due to privatisation and lack of chemicals and technology to combat infestation. The problem was further compounded due to inadequate resources as banking was affected by militancy. These are manifestations of economic deprivation in spite of well being in economic terms. Rural J&K is the real ugly face of lack of

development and deprivation. State has failed to deliver in the fields of Communications, PDS, Education, Health and Civic amenities like water and electricity. While same may be true of other areas but years of militancy has sharpened their sense of neglect and deprivation, which needs to be satisfied.

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Autonomy. The question of autonomy is as much a sentimental issue as a political one. The perceptions vary from region to region. It may be prudent to discuss the shape and content of regional autonomy within J and K first, for what you cannot give and share with your constituents; asking for it for the state will only repeat the past experience. It would be correct to get to the core of the regional imbalances to formulate the parameters of the regional autonomy. Regions have diverse historical and cultural background and ignoring these has resulted in discordant perceptions. The Glancy Commission of 1931, Gajendra Gadkhar commission in 1967 and Sikri Commission of 1978 had all made recommendations to remove the imbalances, the failure of state to implement these have resulted in tensions. The provinces of Jammu and Kashmir should have proportionate representation in the Cabinet and Deputy Chief Minister should be from Jammu. Ethnic, Linguistic and religious minorities must have seats reserved for them in legislature. Ladakh Autonomous Hill Development Council should be strengthened and given administrative and financial autonomy.

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As regards the issue of autonomy to the state, its outright rejection was a mistake. We must realise that the ground realities have radically changed with Pakistan's Proxy war. Keeping in view our failures of the past and events of the last 12 years: the six point, Indira-Sheikh Pact of 1975 is the closest to the realities of the current situation. It maintains the sanctity of the Article 370 and protects states interests without compromising the sovereignty and territorial integrity of the country. It is also in keeping with the federal structure as provided in the constitution and recommended by the Sarkaria Commission. It gives State Government the latitude to do away with some of the laws imposed on it. Its validity was endorsed by the 1977 elections which were most free and fair – it would be a credible and laudable starting point. Keeping in view the all prevailing corruption, deteriorating political ethos and past

experience it will be in States interest not to interfere with the jurisdiction of the Supreme Court and the established judicial system, the Comptroller and Auditor General and the Election Commissions jurisdiction.

In the economic field, keeping in view the liberalized economic structure of the country and the massive resources and efforts required for reconstruction and economic development, private and foreign capital and entrepreneurs will play a major role. Therefore a fine balance between financial autonomy and utilisation and monitoring has to come about and state has to create a climate of trust and security for investors. The autonomy for the states in financial and development fields as envisaged under the Sarkaria Commission would be a useful guide line. Centre should also consider a one-time waiver of legitimate deficient / loans of the State Government for the economy to take off. This should be done immediately. Delhi should encourage state in devolution of powers to the Panchayats so that benefits permeate down to the ground level. The demand of institution of the Sardar-e-Riyasat and Wazir-e-Azam left out since 1975 should be accepted. This would be honouring a historic sentiment.

Fundamentalism

Fundamentalism has to be tackled at the political and social levels. If Maulvis have to go from UP and Bihar, they should be the 'right' ones, those who do preach amity between religions, and do not preach fanaticism and hate. They should elaborate on the true meaning of Jihad and not club it with slaughter. Bareilvis rather than Deobandis need to be tapped.

The banning of fundamentalist political parties like the Jammāt-I-Islami needs to be seriously considered. A strict watch needs to be kept on funding of this organisation.

A stricter control over madrasahs is necessary. A uniform state curriculum needs to be enforced. To wean away students from Madrasahs, need to provide free modern education upto class 10.

Election and Political Dispensation.

At the root of political alienation, is the total distrust of the electoral process and a feeling that honest political dissent is not tolerated by Srinagar and Delhi. It is a genuine feeling and based on the contemporary experience of the people of J & K, particularly Kashmiris. In a democracy this is the framework on which other templates of good governance, just and fair handling of economic dispensation and development, administrative responses to deliver and even security Forces operating in an impartial and fair manner are dependent. This needs the highest attention of political hierarchy of Delhi. The elections held recently in September and October 2002 were largely accepted as fair in spite of Pakistan backed militants perpetrating very high level of violence and killings, particularly of the ruling NC activists. This has been accepted by the world community and participation of overall 44 per cent of the electorate including dissidents and hard liners by proxy. The results are a reflection of people seeking a change in governance and a solution through a different political dispensation. While rulers have lost; India and the people of J&K have won. This could be a turning point. Whatever government is formed should be permitted to rule and decide issues within J&K. Local choices and honest dissent should be encouraged. We failed to make MUF a part of the constitutional and political process in 1987, let us learn from it. An inner turmoil within the democratic process is preferable to disenchantment and alienation.

Rejection of the idea of trifurcating the State has reinforced the secular credentials of India and people of J&K. The need is for statesmanship, understanding and accommodation to carve out a political consensus for solution: without compromising security. Governance and issues bothering the people should be the focus.

Administration.

Provide a corruption free administration in the State.

Dedicated volunteers, not only from the IAS and IPS be inducted from outside the state; but suitable volunteers from

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the Armed Forces and Paramilitary Forces could also be taken in to man civilian posts effectively for a few years, especially in dangerous border areas.

Single line administration with district development commissioner as the head of the district development board needs to be restored. Similarly visit by state cabinet to every district at least once a year to review functioning of the single line administration needs to be reintroduced.

Devolution of powers to the Panchayats has to be encouraged. That is one way the money will reach down to the village level. It has to be remembered that the main battle in J&K is to win over the people.

Reorientation of education system with emphasis on job oriented training including modern technologies.

Efforts be directed towards mainstreaming of people. This could be achieved by providing jobs to local youth outside the state of J&K in government, public and private sectors. This needs coordinated national effort which will have twin benefit of providing jobs to unemployed youth as also help in mainstreaming. Extension of railway line to Srinagar would not only provide job avenues but would give a psychological feeling of being part of the national network.

There is a need to eliminate drug trafficking and lay curbs on cultivation of charas as also flow of foreign funds through hawala. This has today become a principal source of funding of militancy in J&K.

Major infrastructure projects should be undertaken by Border Roads Organisation, Bridge Construction Corporation and Power Corporation in the field of communication and power.

How to fight the Proxy War

. There has been an ambiguity in our tackling the militancy in J&K, which has resulted in responses primarily at the tactical level. While the battle at the point of application is at the sub-unit/unit level and planned and coordinated at the brigade / sectoral level, it does not imply that the rest of vast operational environment is a vacuum and the strategic space is a void. Battles at the tactical level must contribute to the overall aim of degrading militancy and creating a secure environment. Higher operational level formations i.e the division and corps must act as the facilitators and catalysts at the conceptual level in keeping with the changing environment by identifying the evolving parameters of the conflict and methodology to counter these. At the strategic level (Command Headquarters, Arm?: Headquarters and the national leadership) strategic issues should be dealt with including formulation of policy directions, management of the environment and resources. It is only then that the conflict environment, can be efficiently managed or for that matter the conflict itself. Recent handling of cease-fire offer by the HM and GOI offer of Non-Initiation of Combat operations (NICO) are examples of failures at the strategic level. In both cases without a game plan it resulted in deactivations of troops at the tactical level and no viable political initiatives resulting in escalation of violence and militant activities.

While discussing the overall operational profile, in J&K, it was brought out that Al Qaeda has infiltrated the tanzeems operating in J&K and its Universal Jihad ideology has influenced the fundamentalist organisations all over the world. The modus operandi is to operate through sympathetic organisations. Al Qaeda has exploited the technological boom, accessible air travel, internet and other modern innovations to expand its links and Jehadi propaganda. It is well known that through its vast resources it was able to provide training, financial and material resources to Islamic terrorist groups (including in J&K). Africa and Asia has a vast number of transnational crime groups and arms and drug traffickers which can be exploited to target state institutions in these continents. The dimensions of these combinations are vast

both in respect of subversion, religion based militancy and violence. The threat is real and needs to be countered at the national and regional levels with participation of the States.

The other facet which needs to be addressed both at the Strategic and tactical levels is intelligence. Commanders at all levels need intelligence, though the type of intelligence required may be different as its end users are different with different tasks. The spectrum varies from hard actionable intelligence to generic. While the Sub-unit and Unit Commanders look for actionable intelligence or inputs to corroborate or discard previous inputs, the brigade and sector commanders require intelligence which helps them regarding the shape of militant activities in days to come as it impacts on the area of operations. This includes trends, movement, realignment of terrorist groups, likely targets in view of the changes in the environment due to political turmoil, change in policy and changes in leadership. This helps him to react to the changing environment and issue operational direction to his command. At the strategic level, commanders need intelligence to evolve or modify operational concepts of operations and issue directives. This includes discernible changes in the aims and modus operandi of militants. Govt. perceptions based on bilateral and international concerns and to assess their impact on operational environment to evolve attainable goals in the changed environment and overall methodology to achieve them. This has to be a two-way traffic of both intelligence and information from top down to bottom and bottom up wards. This helps in evolving a commonality of perceptions and synergy of action. This is also essential to give the right orientation to the psychological operations and helps in management of the conflict environment in a cohesive fashion. Like the CI grid, it is also essential to establish an intelligence grid covering the area of operations. While all the intelligence agencies give intelligence and information to the formation commander responsible for the area, they need not divulge their sources. Based on the intelligence picture at each level the agencies should be tasked by the person coordinating intelligence, who is also the chief of intelligence at each level of the grid. This must go right up to the highest strategic level.

Operational Aspects.

Two broad aims of Pakistan's Proxy War are clearly discernible:

- (a) Having enlarged the area of conflict beyond the Kashmir Valley, to sustain militant activities and violence in these areas. Expanding Muslim majority areas and targeting minorities is part of the design to fulfill its strategic and Islamic agenda.
- (b) To orchestrate overt military action along the LoC, accompanied by subversive acts and sabotage in border areas to sustain infiltration and keep Indian troops committed.

Proactive Strategy

Pursue a proactive Strategy to punish Pakistan and militants for perpetrating violence across the border. The strategy must be based on the following :-

- . A graduated response beginning with raids on posts and launch pads (within 2 to 3 kms of the LoC) of the militants and then destroying the training camps by missiles.
- . Doination of LOC through offensive actions
- . Correct anticipation of the actions by Pakistan and militants and taking suitable punitive actions to thwart their plans.
- . Well calibrated to operate within the space available between punitive action and a full-scale conventional war.
- . Declaratory and well coordinated functioning between the Army, the intelligence agencies, the surveillance and the media.
- . Be supportive of the actions of the field commanders.

Should the situation escalate, the Armed Forces must be prepared for a full scale war.

Counter Insurgency Operations.

Prosecute relentless counter insurgency operations against the militants including the extensive use of helicopters for mobility and restricted use of helicopter gunships in remote areas devoid of population. While conducting counter insurgency operations, the security forces must NOT alienate the local population.

Be sensitive to human rights violations. A clear distinction must be drawn between acts during performance of duty and premeditation. The later actions only should be treated as human rights violations and severely dealt with.

Implement suggestions on better management of border and the LoC, better helicopter mobility, protection of minorities, protection of State Institutions and SF Headquarters, force utilisation and reserves discussed in Chapter 6.

Better management of the borders through a mix of fencing where possible, surveillance devices and physical deployment of troops to prevent trans LOC move.

Rationalisation of the PMF/CPO forces to improve their efficiency through revitalization/rejuvenation and imparting orientation training prior to induction. Place all PMF/CPO forces engaged in counter insurgency operations under the operational command of the army.

The officials of the Army, PMF/CPO forces, civil police and government officials must cooperate fully irrespective of precedence of rank/service so as to work on the principle of assisting the person in charge of the operations/situation

Enhance the fighting capability of the Army by introducing better weapons (AK 47/5.56 mm rifles).

Communication equipment (wireless telephony) anti-IED vehicles, helicopters, both for mobility and as gunships without further delay.

. Modify/Amend laws regarding handing over of militant. within 24 hours, giving custody of captured weapons and warlike stores to the police and mandatory presence of the accused for trials so as to deal with the militants without the fear of the legalities.

. Review the deployment of troops with bias towards adopting an offensive posture and creating more troops as mobile reserve capable of being heli-lifted at short notice.

. Be alive to the adverse effects of stress in a protracted conflict and take measures to counter them. Look beyond the kill ratio for other parameters to evaluate success/failure and morale of troops.

Need for Strategic Direction and better command and control set up.

. At the directional level there has been no policy or directive. It should be a joint effort of political and military minds and should be formulated by the MHA, the MOD (represented by the Army) and the MEA. Similarly, there is need for a holistic policy flowing from above, central directive encompassing political, socio-economic, psychological and informational aspects.

. At the operational level, based on years of experience in the North East, a traditional and customary command and control structure has emerged: which has functioned well. The essence of it is that all army and CPOs / PMF Units (AR, BSF, CRPF and armed police units of the states) are under the operational control of the GOC of the area. CPOs performing duties for the state administration and in population centres are under civil control – ie DGP. This ensured unity of command and execution and accountability. In a CI environment at the functional or tactical level there is no

distinction between command and control as – CI operations are most mobile, opportunities are fleeting and come after long and patient wait. It is accompanied by continuous intelligence building and the entire exercise is accompanied by heavy protective and surveillance duties. The command has to be direct and execution immediate. Formation commander's feel of the area, backed by formulation and constant updating of the intelligence picture provides the flexibility and anticipatory capability for action. Therefore, there is an imperative need that all units including CPO / PMF tactically deployed in a formation area of responsibility should be under operational command of the formation commander. The units continue to be commanded by their own officers.

To create synergy between political, administrative and military and to ensure there is cohesiveness of actions in all fields and between strategic and tactical levels a suggested structure at the state level is given at appendix attached.

The need for synergy between the political, administrative and military action cannot be over emphasised. In our opinion, in J&K the high level of militarisation action has not given us proportionate gains. This is primarily due to our inability to consolidate the situation in the political, socio-economic and administrative fields after the situation was brought under control in 1996 which was due to lack of a clear policy and will to implement measures in the economic and social fields. This tends to generate a sense of frustration and a defensive mind set in the SF and situations tend to escalate. The need for political will, administrative involvement and sharpening the military capability cannot be over emphasised.

Diplomatic Field

The Pak design was exposed after Kargil and India gained major diplomatic advantage and the international community fully realised the danger that cross-border terrorism poses not only in J&K but to the region and the International Community. However, much that was gained was lost by our ambivalent response to Pakistan's Single point Agenda of Kashmir. We cannot ignore the

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ground realities and the effect of our future initiatives must take into account the past experience of Indo-Pak dialogues. Willingness to talk must be accompanied by firmness not to compromise our stand on J&K and cross border terrorism. Its justification as freedom fighters is just not acceptable.

. The quests in Afghanistan have also highlighted the involvement of Pakistan in supporting terrorism and this has vindicated India's stand of Pakistan's support to cross border terrorism in J&K.

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. In view of the above, India should take the diplomatic initiative on terrorism in J&K to include:-

. Persist in diplomatic endeavour to convince world community with viable evidence of involvement of Pakistan in perpetrating cross border terrorism in J&K.

. Seek political and military cooperation of the International community to eliminate the threat of terrorism in J&K. To achieve this it is in India's interest to seek issue based military cooperation from the USA and other countries. In this regard special efforts need to be made with the neighbouring countries China, Russia and the CAS countries.

. Create a diplomatic atmosphere to support its actions of striking the bases / terrorist camps across the Line of Control should such a contingency arise.

. Exert diplomatic pressure in the world forum particularly on the USA to dissuade Pakistan from providing support to terrorists in J&K.

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. The channels of dialogue between India and Pakistan to find a long term solution to the J&K problem must be kept open. India should not be averse to any diplomatic efforts on the part of the USA and any other world power to facilitate such a dialogue and final settlement.

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- . Both India and Pakistan would have to tone down their uncompromising stands on J&K and arrive at a peaceful solution in an atmosphere of mutual adjustment and accommodation keeping in view the past history as well as the realities on the ground.

Media

- . India must exploit the media and its potential to expose Pakistan's nefarious designs in J&K.
- . Need to formalise dissemination of timely information of various events to the media to avert speculative reporting.
- . Use the media to counter Pakistan's and the militant's propaganda by feeding factual information thereby preventing any attempts to subvert our own people especially the security forces.
- . Expose Pakistan's inability to support its own creation i.e. Taliban in Afghanistan under-pressure from the USA and their credibility to continue supporting cross border terrorism in J&K.

Conclusion

There seems to be a belief that the military could wear out the militants. This is fraught with danger. History is testimony to the fact that, time is in favour of the militants. The longer the conflict goes, the more it will go in favour of the militants. It is, therefore, high time that India's strategy on J&K is based on employing diplomatic, political, economic and military means to resolve this problem. The military could bring the violence under control and thereby create favourable conditions for a political solution to the problem. India must first resolve the problem in J&K, by taking measures to remove the alienation of the people of J&K.

A proactive policy to make cross border terrorism costly for Pakistan! by hitting out at the nerve centers of terrorism coupled with continued dialogue with the people of J&K at one level and

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Pakistan on other level would be the only way to find a long term solution to the J&K problem.

The events in Afghanistan have proved the futility of Islamic 'Jehad'. In fact it became a cause of its own destruction. Pakistan must realise the grave danger of following such a policy. If the process of negotiations does not make any headway, it is for India and its leadership to think of harder options as demonstrated by the Americans and their allies against Afghanistan.

Both India and Pakistan must realise that the ongoing militancy has caused great loss both in terms of economy and human resources. Enough blood has been shed on both sides of the border over J&K issue. It is futile on the part of Pakistan to keep harping on a dead UN resolution. They must now pick up the threads afresh and utilise the frame work of the Shimla Agreement and Lahore Declaration. Sincere efforts of facilitation could be entertained with due deliberation and caution.

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A DIAGRAMMATIC LAYOUT OF THE SUGGESTED STRUCTURE AT THE STATE LEVEL

